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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JEFF MERKLEY, a Senator from the State of Oregon.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, in whose presence the dark night of anxiety is dispelled by the dawn of Your peace, thank You for guiding us beside still waters. Lord, we do not ask for faith for the whole of life but for enough trust to live one day at a time.

Draw our lawmakers near to You so that they may see the beauty of Your purposes and discern Your plan. Purge their thoughts and speech that no unworthy communications may proceed out of their mouths. Lord, teach them new truths today, so that they may soar on the wings of Your joy and light.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEFF MERKLEY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 14, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. MERKLEY thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT OF 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 3217, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail,'' to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

Pending:

Reid (for Dodd/Lincoln) amendment No. 3739, in the nature of a substitute.

Brownback modified amendment No. 3789 (to amendment No. 3739), to provide for an exclusion from the authority of the Bureau of Consumer Financial Protection for certain automobile manufacturers.

Brownback (for Snowe/Pryor) amendment No. 3883 (to amendment No. 3739), to ensure small business fairness and regulatory transparency.

Specter modified amendment No. 3776 (to amendment No. 3739), to amend section 20 of the Securities Exchange Act of 1934 to allow for a private civil action against a person that provides substantial assistance in violation of such Act.

Dodd (for Leahy) amendment No. 3823 (to amendment No. 3739), to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers.

Whitehouse amendment No. 3746 (to amendment No. 3739), to restore to the States the right to protect consumers from usurious lenders.

Dodd (for Rockefeller) amendment No. 3758 (to amendment No. 3739), to preserve the Federal Trade Commission's rule making authority.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AFGHANISTAN

Mr. CASEY. Mr. President, I rise this morning to speak about the visit this week by Afghan President Karzai and many of his ministers, as well as the policy that is unfolding all these many months in Afghanistan.

I rise in the midst of a debate we are having in the Senate on financial reform and continuing efforts and strategies to be put in place to create jobs. Even in the midst of all those domestic concerns that are economic in nature—and we are still very concerned about and working on the problems of those who are out of work—we need, in that context, to also be concerned about what is happening in Afghanistan. So I wish to discuss President Karzai's visit and, as I mentioned, the visit, as well, by other Afghan government officials.

The other reason I rise in connection with that topic is to talk about the continuing threat our troops face from improvised explosive devices known by the acronym IEDs. They continue to pose a threat to our troops, and we have to continue to be concerned about the nature of that threat.

In a broader sense, when it comes to this policy, we have to get this right. We have to make sure our government is continually focused on getting this strategy right in Afghanistan, as it relates to security, governance, and development—all aspects of the strategy, working with our coalition partners in doing that.

First and foremost, on the question of IEDs, the Los Angeles Times reported last week that three-fifths of the 602 combat-related deaths of U.S. troops in Afghanistan were due to roadside bombs, the so-called IEDs, improvised explosive devices. The primary ingredient in these bombs is ammonium nitrate, a fertilizer that can also be used as an explosive. We know this from our recent history.

We also know we have some domestic history to consider. Timothy McVeigh used a 4,800-pound ammonium nitrate bomb to attack the Alfred Murrah building in Oklahoma City in April of 1995.

The Afghan Government has recognized this problem—the use of ammonium nitrate—and has begun working with coalition troops to crack down on the use of ammonium nitrate. It is no longer legal in Afghanistan to use ammonium nitrate in farming, and Afghan farmers receive training on how to use other types of fertilizer.

During yesterday's press conference President Karzai had with President Obama, he discussed the use of ammonium nitrate and, in particular, its impact on U.S. troops. I was glad he did that. I am glad President Obama has been focused on this issue as well. I had a chance yesterday, in a lunch with a small group of Senators, to ask President Karzai directly about this issue. So we talked about it yesterday at lunch as well.

Despite this ban in Afghanistan, ammonium nitrate manages to make its way to Afghanistan, reportedly from Pakistan. The Los Angeles Times reported that transport routes are lined with corrupt Pakistani police officers—according to the Los Angeles Times—and border officials who accept bribes to allow this smuggling to occur. This smuggling is a lucrative enterprise. One Pakistani businessman reported making almost $950 a month smuggling ammonium nitrate for use in Afghanistan. This is a country where the monthly average income is $216 a month.

I urge the Pakistani Government to track and regulate the transport of this dangerous material. The government appears to recognize that ammonium nitrate could also pose a threat to Pakistan's national security as extremists across the country step up their activities there as well. As in Afghanistan, it is important for the authorities in Pakistan to first show the political will to address this problem, and to put in place proper legal mechanisms to diminish its use across the border in Afghanistan.

Ammonium nitrate's use in IEDs is the main killer of U.S. troops in Afghanistan. We must do all we can—all we can—to limit its use.

I understand that if ammonium nitrate did not come from Pakistan, smugglers would identify new sources from other bordering countries. While this may be the case, it appears as though the primary source today is Pakistan. In this case, Pakistan is where we should focus our attention. So let's get at the supply of ammonium nitrate. Let's make it much harder for terrorists to kill U.S. troops.

Let me move next to the overall policy in Afghanistan. I was honored to be one of seven or eight Senators to have lunch yesterday with President Karzai. During his time in Washington, we were all pleased—I think both sides of the aisle in the Senate were pleased—that President Karzai reiterated his commitments to improving governance and reducing corruption. They are commitments, but I think the people of Pennsylvania and the people across America need to see results from those commitments. I also hope President Karzai will restate his support for NATO efforts to win back the country from the Taliban and drive the insurgents to the negotiating table.

In a meeting with Afghan Government ministers on Wednesday, five or six other Senators and I emphasized the importance of women's rights in Afghanistan. Afghan women play a key role in the decisionmaking process. Any peace process or agreement that does not respect and uphold the rights of half of the population—the women—of Afghanistan will fail to achieve long-term goals for security and stability.

In February, Senator BOXER and I cohosted a Senate Foreign Relations Subcommittee hearing on the future of Afghan women and girls. At that hearing, Melanne Verveer, the U.S. Ambassador at Large for Women's Issues, testified about the challenges Afghan women and girls face. She said:

> Perhaps the greatest remaining impediment to women's full civic participation is violence against women and girls, which remains endemic in Afghan society. Crimes go unpunished because of anemic rule of law and weak institutions of justice. Approximately 80 percent of crimes and disputes are settled through traditional justice mechanisms.

So said Melanne Verveer, who knows of what she speaks.

This is a continuing problem. It is not just a moral problem. This is a problem long term for us as well because if the women of Afghanistan—women and girls—are not treated with respect, are not accorded the kind of rights and being given the benefit of a system of justice that will protect them, then our whole strategy in Afghanistan is undermined.

We cannot just win this on the battlefield. This is not just about the military. There are two other aspects that are so important to this strategy: governance and development. Of course, when you are talking about governance, you are talking about a system of justice. If half the population is the continued target of violence, and if half the population is not accorded basic rights and given the benefit of a functioning system of justice, our strategy in Afghanistan will fail.

This is a problem, not only because of the current concern we have about how women and girls are treated in Afghanistan and around the world, as well as here in the United States—that is the main reason for our concern—but it is also connected directly, and I think is inextricably intertwined, with our strategy as it relates to governance in Afghanistan.

We know that since the fall of the Taliban, there have been some improvements in women's rights, such as the creation of the Ministry for Women's Affairs and the guarantee of equal rights for men and women in the new constitution. Indeed, Afghan women remain among the worst off in the world with respect to life expectancy as well as quality of life. So even though progress has been made, we need to see a lot more in the way of results.

I am encouraged by the recent measures undertaken at the top of Afghanistan's Government to include the voices of women in the consultation process leading up to the Peace Jirga. However, I believe it is essential the Afghan Government take immediate measures—immediate measures—to include qualified women, who have a record of public service—civic or community service—in meaningful senior roles at every level of the government and in the peace process.

We were—I know I was; and many of us were—very impressed by the women we met who are active participants in the Afghan Government. But much more needs to be done.

Let me move next to more of the military aspects of our strategy: both in Marjah—the operation that took place over the last couple of months—as well as the upcoming operations in Kandahar.

On April 29, the Pentagon released its biannual report to Congress on the last 6 months in Afghanistan. By all accounts, it was sobering. The report portrays an Afghan Government with limited credibility among its people. In 92 districts assessed for their support of the Afghan Government or their antagonism to it, not one supported the government, not one in 92. I realize that sometimes when a report comes out, it is dated and it may be that improvements may have been made over the last couple of months, but the most recent report was not good in terms of support for the Afghan Government.

Again, our strategy will not be successful unless the Afghan Government can improve those numbers of support from its own people. This is an important issue that President Karzai and the rest of the government must continue to address. I think they are taking steps to do that but much more needs to be done.

The Pentagon report highlights one positive development: The Taliban is seen by 52 percent of Afghans as the chief cause of instability. So the message is getting out to the people about the destructive impact of the Taliban. This perception provides the Afghan Government with an opportunity to show itself as the protector of the people.

One area in which ISAF and international aid donors can help build public confidence in their government is food security and distribution. Not only is the agricultural sector critical to the well-being of all Afghans, both agriculture and food distribution are caught up in the problems raised by Afghan dependence on opium cultivation, extortion, and corruption in aid and transport operations for that, as well as manipulation by national and local power brokers.

The United States has begun shaping operations, mostly political, in and around Kandahar to prepare for the next major military campaign. While we can apply the lessons learned in Marjah, the Kandahar campaign will be a formidable test of our counterinsurgency plan. Kandahar is the second largest city in Afghanistan, the birthplace of the Taliban, and the Taliban still has considerable support there.

In judging the success of Kandahar from Washington, we should be aware of the significant political and cultural complexities because of the coalition's need to shift between fighting and outreach in Afghanistan. The contest for public sentiment among Afghan civilians will arguably be more important over the long run than the relative effectiveness of each side's military skill.

A functioning government which maintains credibility in the eyes of the people of Afghanistan will be necessary if civil military strategy is going to have any chance of success. We must continually stress the movement toward this goal so as not to lose sight of our objectives in Afghanistan. Again, we have to be concerned about three things: first, military concerns and the strategy as it relates to the military campaigns; second, governance; and third, development.

The ability of nongovernmental organizations and other aid organizations to do great work is hampered by corruption and the ineffectiveness of the government. Militarily removing the Taliban influence must be accompanied by the timely and effective delivery of emergency aid and refugee assistance. It is only when the government has the capacity to operate in an effective manner that all the tools can be applied to increasing the quality of life of local Afghans as well as presenting an alternative to the Taliban's form of rule.

The upcoming operations in Kandahar will be the largest to date aimed at securing the population through General McChrystal's population centric civil-military strategy. However, if the government is not capable of providing the capacity necessary to follow the military clearing operations, the strategy will not succeed.

Our brave men and women who serve this country deserve a reliable partner in the Afghan Government. We must work assiduously and continually to realize this vision of a peaceful and stable Afghanistan.

In conclusion, first of all, I wish to thank President Karzai for what he said here in the United States, what he did here to reiterate the goals we have, the partnership between our government and his government to get this policy right. After my two visits to Afghanistan in 2008 and 2009, I have been very critical of President Karzai. I must say, based upon the last couple of months, based upon the work he did here, the statements he made, and some actions he has taken, I have more cautious optimism, I will say, than I had before about his ability to move forward, helping us on this strategy; his ability to build confidence, the confidence of his own people; his ability to have a positive impact not only as it relates to our military strategy but, of course, especially governance as well as the development after military campaigns take place. I also appreciate the fact that President Karzai showed great respect not only for our fighting men and women in the field and their families but especially for those who gave, as President Lincoln said a long time ago in Gettysburg, the last full measure of devotion to their country when he visited the graves of some of those who perished in that conflict.

So we have reason to be more optimistic, but the test will be over time and based upon real results, facts on the ground as it relates to the military operations, governance, and development. So this strategy bears a lot of scrutiny.

In conclusion, I ask unanimous consent to have printed in the RECORD a Los Angeles Times story of May 3, 2010, entitled ''Key Bomb Ingredient is Smuggled in Freely in Pakistan.''

There being no objection, the material was ordered to be printed in the RECORD, as follows;

[From the Los Angeles Times, May 3, 2010]

KEY BOMB INGREDIENT IS SMUGGLED IN FREELY IN PAKISTAN

(By Alex Rodriguez)

PESHAWAR, PAKISTAN.—Twice a week, a caravan of trucks lumbers out of this volatile northwest Pakistan city in the dead of night and makes its way toward Afghanistan, loaded with one of the most coveted substances in a Taliban bomb maker's arsenal: ammonium nitrate fertilizer.

Every time the illicit caravan makes its trip, it moves unhindered past a gantlet of Pakistani police checkpoints along the Pak-Afghan Highway. A string of bribes paid out to police, politicians and bureaucrats ensures that the smuggled explosive agent reaches its destination, middlemen on the Afghan side of the border who sell it to insurgents, says the co-owner of a Pakistani trucking firm that dispatches the caravans.

Banned in Afghanistan, ammonium nitrate is the basic ingredient of the Taliban's roadside bombs. The amounts ferried into Afghanistan are staggering. Each truck carries 130 bags, each of which contains 110 pounds of ammonium nitrate. A caravan typically has at least 12 trucks, which means a single night's shipment can move 85 tons of the fertilizer.

The caravans head out every third night.

''I know that it's used to kill American soldiers,'' said the businessman, a lanky, thirty-something Pashtun from the Khyber district in Pakistan's tribal areas, a haven for Taliban militants. He agreed to discuss his company's smuggling on condition of anonymity.

''But people in the tribal areas don't have any choice but to do this,'' he said. ''If they would give us another way to make money, we would take it.''

Of all the threats U.S. troops face in Afghanistan, the roadside bomb is the one they dread most. Western forces have suffered 602 combat-related deaths since the beginning of 2009, and 361, or three out of five, have been caused by roadside bombs, according to icasualties.org, a website that keeps track of war-related deaths in Afghanistan and Iraq.

Ammonium nitrate bombs, often crude wood-and-graphite pressure-plate devices buried in dirt lanes or heaps of trash, are difficult to detect and devastating when they detonate. The fertilizer's might as an explosive agent was witnessed in the United States in 1995, when Timothy McVeigh's 4,800-pound ammonium nitrate bomb killed 168 people at a government building in Oklahoma City.

In Afghanistan, a typical homemade bomb weighs about 65 pounds, most of it ammonium nitrate. A shipment of 85 tons of ammonium nitrate could yield more than 2,500 bombs.

Made by combining ammonia gas and nitric acid, ammonium nitrate is one of the world's most popular fertilizers. It was used by Afghan farmers, but because of the roadside bombs, the United States persuaded President Hamid Karzai's government to ban the substance in January.

But Pakistani smugglers continue to truck massive amounts into Afghanistan. Several other countries in the region, including Uzbekistan and Iran, also manufacture the fertilizer, but almost all that gets into Afghanistan comes from Pakistan, says Kenneth Corner, director of intelligence at the Joint Improvised Explosive Device Defeat Organization, a research arm of the U.S. military that develops ways to detect and withstand roadside bombs.

Pakistan makes 496,000 tons of ammonium nitrate fertilizer each year. It also imports ammonium nitrate from several countries, including China, Germany and Sweden, Comer said. The U.S. has begun talks with Pakistani officials to persuade them to ban the manufacture and use of ammonium nitrate and switch to urea as the country's main fertilizer. Unlike ammonium nitrate, urea cannot be readily used as an explosive.

''I can't find anyone who thinks ammonium nitrate makes sense as a fertilizer as opposed to what's more commonly used in both (Pakistan and Afghanistan), which is urea,'' Comer said.

Officials in Islamabad, the Pakistani capital, say such a ban would be a hard sell in Pakistan. ''It would cost hundreds of thousands of dollars for the (sole) manufacturer to switch to urea,'' said Qadir Bux Baloch, spokesman for the Agriculture Ministry.

As long as ammonium nitrate remains legal in Pakistan, the U.S. will have to rely on Pakistani police and border authorities to curb smuggling. For the time being, however, rampant corruption within the ranks of law enforcement and local government allows ammonium nitrate to be smuggled freely into Afghanistan.

The Khyber businessman said his company pays about $830 in bribes for a single truckload of ammonium nitrate. About 40 percent of that goes to local police, he said, and the rest gets paid out to local officials.

Middlemen on the other side of the border bribe Afghan authorities so they can transfer the shipments to their own trucks and move the explosive agent through their country, the Khyber businessman said.

The businessman said he clears about $950 a month smuggling ammonium nitrate. At least eight trucking firms on the outskirts of Peshawar regularly smuggle the substance into Afghanistan, he said.

Peshawar authorities have never raided his warehouse, he said. ''There are only a few police officials in Peshawar who know what we do, and we bribe them.''

Peshawar's top administrative official, Commissioner Azam Khan, said no Pakistani court had ever convicted anyone of smuggling ammonium nitrate into Afghanistan. He said he had begun meeting with law enforcement and other officials to find ways to tackle the smuggling of ammonium nitrate and other commodities into Afghanistan.

''We're trying to think out of the box,'' Khan said. ''We're looking at what laws we can use to get at the black market storage of ammonium nitrate, to make it more difficult to store it in bulk.''

Some security officials say Pakistan should have ample incentive to better scrutinize the movement of ammonium nitrate, given its own struggle with Islamic militants.

In March, police seized 6,600 pounds of ammonium nitrate stashed in a fruit market in Lahore's Allama Iqbal neighborhood. Investigators believe the three men arrested in the seizure were connected to a series of suicide attacks that killed more than 50 people in March.

Zulfiqar Hameed, a senior Lahore police official in charge of investigations, said his officers could have tracked down the middlemen who supplied the ammonium nitrate to the militants if Pakistan required manufacturers to put tracking numbers on each fertilizer bag.

''It's a totally undocumented market,'' Hameed said. ''There's no reliable way of finding out who bought those bags. That's a huge problem.''

Even if Pakistani authorities took steps to clamp down on ammonium nitrate smuggling, the Khyber businessman said he doubted they would derail his operation. Along Pakistan's tribal belt, where smuggling is a way of life, the policemen and officials accustomed to a steady stream of payoffs aren't likely to turn over a new leaf anytime soon.

''Never have these supplies been interfered with,'' the businessman said, chuckling. ''These shipments always reach their destination.''

Mr. CASEY. Finally, let me also ask unanimous consent to have printed in the RECORD a summary of a ''Report on Progress Toward Security and Stability in Afghanistan'' issued by the Department of Defense dated April 2010.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REPORT ON PROGRESS TOWARD SECURITY AND STABILITY IN AFGHANISTAN

(Issued by the DOD, Apr. 2010)

The ANP consists of four major categories of police; the Afghan Uniformed Police (AUP), the Afghan Border Police (ABP), the Afghan National Civil Order Police (ANCOP) and Specialized Police.

In January 2010, the JCMB, the international community, and the U.S. Government agreed to the Afghan proposal to grow the ANP to 109,000 by October 2010 and 134,000 by October 2011. March goal: 99261. Actual: 102,138.

One of the major past weaknesses of the ANP program is the lack of centralized command and control for recruiting and training.

A major concern of the international community is the lack of personnel accountability in the ANP force. There have been accounts of ''over-the-tashkil'' police in various districts doing police work while not being paid through LOTF–A, as well as accounts of ''ghost police'' who are on the payroll but are not actually present for duty.

Training is a key challenge to building the capacity of the ANP. In recent years, because of the lack of program resourcing, 60–70% of the force was hired and deployed with no formal training (the ''recruit-assign'' model).

High levels of corruption persist in the ANP and reports of promotions being sold are common.

As with the ANA, the logistics systems in the ANP have been weak. Over the past year, the NTM–A has assisted the Logistics Training and Advisory Group in improving its logistics system to better meet the needs of the ANP. Despite progress, the MoI logistics system is in its early stages of development and lacks automation, infrastructure, and expertise.

Establishment of effective rule of law institutions is critical to the sustainment of an effective police force. To date, in the justice sector, there has been little enduring progress despite investment toward reform, infrastructure, and training. Courts are understaffed and chronically corrupt. Corruption can be stemmed by ensuring there are adequate salaries and an adequate number of defense attorneys, and by implementation of a case management system and court watch or court monitoring program. Security for judges and prosecutors continued to be a significant problem, especially in RC-South.

Mr. CASEY. Thank you, Mr. President.

With that, I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, before I ask a unanimous consent on an amendment, I will comment on Senator CASEY's remarks that were just delivered so powerfully and eloquently. He is right on point that the efforts underway in Afghanistan are crucial to our country's national security.

It was important, as well, that he talked about the three main factors that are in play there in our ultimate success. This week, we had President Karzai and much of his Cabinet in Washington. I certainly appreciate the effort President Karzai made to show his respect for those who have fallen in Afghanistan in the war there. I also note General McChrystal was here briefing many of us. I think the Presiding Officer, as well, heard from him on the state of the situation in Afghanistan.

This isn't going to be easy. I am heartened by what I heard. I express my appreciation for the valor, commitment, and honor that our forces in Afghanistan have displayed.

AMENDMENT NO. 4016 TO AMENDMENT NO. 3739

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up my amendment No. 4016.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. UDALL], for himself, Mr. LUGAR, Mr. LAUTENBERG, Mr. BOND, and Mr. BEGICH, proposes an amendment numbered 4016 to amendment No. 3739.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve consumer notification of numerical credit scores used in certain lending transactions)

On page 1455, after line 25, insert the following:

SEC. 1077. USE OF CONSUMER REPORTS.

Section 615 of the Fair Credit Reporting Act (15 U.S.C. 1681m) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(B) by inserting after paragraph (1) the following:

''(2) provide to the consumer written or electronic disclosure—

''(A) of a numerical credit score as defined in section 609(f)(2)(A) used by such person in taking any adverse action based in whole or in part on any information in a consumer report; and

''(B) of the information set forth in subparagraphs (B) through (E) of section 609(f)(1);''; and

(C) in paragraph (4) (as so redesignated), by striking ''paragraph (2)'' and inserting ''paragraph (3)''; and

(2) in subsection (h)(5)—

(A) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (D), by striking the period and inserting ''; and''; and

(C) by inserting at the end the following:

''(E) include a statement informing the consumer of—

''(i) a numerical credit score as defined in section 609(f)(2)(A), used by such person in connection with the credit decision described in paragraph (1) based in whole or in part on any information in a consumer report; and

''(ii) the information set forth in subparagraphs (B) through (E) of section 609(f)(1).''.

Mr. UDALL of Colorado. Mr. President, Senator LUGAR and I introduced this modified amendment in working with Senator DODD, the Treasury Department, and the Federal Reserve to find a way to increase Americans' access to their credit scores.

Before I talk about the amendment, the chairman of the committee, my friend and colleague from Connecticut, is on the floor. I thank him for working with me and a group of about 20 bipartisan Senators to provide greater access to consumer credit scores. Senator DODD had a thoughtful, incisive idea about how we might be able to move this amendment to the floor, and that was to provide a credit score on a transactional basis.

That is exactly what this amendment does. A credit score affects consumers' interest rates and monthly payments on home loans and can even influence a consumer's capacity to buy a car or rent an apartment, even get phone or Internet service.

Our amendment would take the two consumer notices that the Federal law requires lenders to give consumers and makes sure the credit score used to evaluate the consumer is disclosed to that individual.

Right now—and I found this out in the process of researching what we are trying to do—if you receive a general notice of your credit application being turned down or if you are offered credit at less favorable terms, you don't receive a disclosure of the credit score used to determine that outcome.

Under our amendment, if you are turned down for a loan or you are given a higher interest rate because of a low credit score, you now have the right to see the credit score that was used. I know of the Presiding Officer's interest and long experience in the world of housing and providing access to people in that way. I know this is something he has followed with great interest.

There is a fundamental principle at stake. If your credit score is being used against you, you ought to have the right to at least see it.

I know every single American would want to improve that credit score and understand how they could have a greater financial opportunity, greater financial standing.

I thank Chairman DODD and Senators LUGAR, LEVIN, BOND, SCOTT BROWN, SCHUMER, BEGICH, LAUTENBERG, and all the 20-plus Senators who helped push for this important issue.

I especially thank Senator PRYOR for working with us to find something everyone could agree to in this modified version. I am appreciative that we were able to work it out.

I understand that the amendment is scheduled to be addressed Monday night. I hope we can perhaps accept it on a voice vote at the proper time as well.

With that, I yield the floor.

Mr. DODD. Mr. President, again, I cannot thank our friend and colleague from Colorado enough. He has done a great job. This is a terrific idea—one that is long overdue. The Presiding Officer is a member of our Banking Committee. We have talked a lot about these issues over the last couple years. We have had hearings and, in fact, legislation dealing with credit scores. A lot of people have had their good names stolen from them, in a sense, as a result of the thievery that goes on with credit cards and the like, and people's credit scores have been manipulated.

It is difficult to find out where you are in all this. It is ironic that we are citizens in our country, and other people are determining whether we are creditworthy when we are buying an automobile, purchasing a home or getting a student loan. The idea that we as consumers cannot have access to these scores that people are writing about us—it is kind of offensive that we even have to go through this. It is degrading, to put it mildly. I am grateful to the Senator from Colorado for pursuing this. He would have gone a bit further. I would have, too, but I sense we are going to have a problem here to get anything done at all. The fact that are going to have this on a transactional basis is a major step forward and may alleviate 80 to 90 percent of the difficulties. That is not to say there isn't room for further improvement down the road. There will be other steps we can take in the future to make sure people have access to their scores and where they stand on their ability to afford the things they need as a family.

The Senator from Colorado has made a significant contribution. We are going to have to vote on it. I am confident we can prevail. I believe both Democrats and Republicans share the concerns the Senator has raised. He has made a valuable contribution to this effort. I thank the Senator personally for that.

I look forward to being supportive of this amendment early next week. I thank the Senator.

Mr. UDALL of Colorado. Let me again thank the chairman of the Banking Committee for his willingness to work with those of us in a bipartisan coalition. His comments are right on point, as always.

I think the Senator from Connecticut is right when he suggests that, as Americans have access to credit scores, they are going to be more interested, as time goes on, in understanding how to build and strengthen that score and be more financially literate, if you will.

The chairman has been remarkable in the time he has spent on the floor and the strength he has shown, with the lack of sleep he has endured. His product, which many of us have contributed to, will be seen by historians as a seminal moment, when we put Wall Street on a more accountable basis.

Under the chairman's leadership, we have also given consumers more recourse and access. In the end, I think that is what the chairman wanted to do, and will do, to protect consumers all over our great Nation. This is one small but important way to do that.

Again, I thank the chairman and look forward to the vote on Monday night. I agree this will have widespread support. I will continue to ask for those votes, and I know we will work to have a successful outcome Monday.

Mr. LEVIN. Mr. President, I am pleased to cosponsor amendment No. 4016, introduced by Senator MARK UDALL and Senator LUGAR, to help provide Americans access to their credit score, an essential piece of personal financial information.

The way things stand now, the three primary credit bureaus charge people to gain access to their credit scores. Seven years ago, the 2003 Fair and Accurate Credit Transactions Act took a big step in the right direction by giving Americans access to their credit report once a year, on a no-cost, no-strings-attached basis, at each of the big three credit bureaus. But a credit report only goes so far. It is the credit score itself, not the report, that is so critical to the consumer when navigating our financial system, and free access to credit scores was not included in the 2003 act.

Credit score is often the single most important factor in obtaining a loan to buy a car or a house or in securing a credit card with a reasonable rate of interest. Credit scores can also play a key role in finding an apartment or purchasing a major household appliance. More and more, credit scores are also used by employers in the hiring process.

With so much riding on this number, it is essential that Americans be able to readily obtain their credit score, so they can evaluate whether it accurately reflects their credit risk. If the score is low, a consumer can evaluate the underlying credit information to see if there is an error in the data and what, if anything, they should do to correct an error. Consumers can also evaluate what steps they can take to improve their credit score by, for example, paying off debt or tearing up a credit card. To make those types of informed decisions, however, it is only fair for the consumer to know what all their creditors know—the credit score that has been electronically assigned to them by an impersonal, computer-driven credit bureau.

A credit score is calculated from a person's personal financial history as that history is captured in specific data points included in a credit report. We already know that the data in a credit report is often incomplete, out of date, or incorrect. We also know that the formulas used to produce credit scores from that data are complex, unpublished, and of uncertain predictive value.

The credit bureaus chum out profits by running people's personal financial information through their formulas. Then they sell the information to financial institutions, marketing companies, landlords, and others. The companies then turn around and sell the credit scores back to the consumers who otherwise can't find out what is being sent to multiple third parties about their credit status, without their ever having been informed about the score.

This whole setup is unfair. While credit scores serve a useful function in our financial system, fundamental fairness requires that people have ready access to this basic information about themselves—information that is already being sold to their bank, their landlord, their employer, their government, and any other creditor willing to pay for it.

One more point. Right now, despite the efforts of Congress and the Federal

Trade Commission, some credit bureaus continue to engage in deceptive advertising of ostensibly ''free'' credit reports and scores that, in fact, require enrollment in a subscription credit monitoring service that charges a monthly fee, often $15. It is astonishing to me that some bureaus fight tooth and nail to avoid straightforward disclosures about the cost of their products and instead try to slip them in with deceptive offers of ''free'' credit scores or reports that are anything but. This is an issue we addressed in the credit card reform bill with new provisions to stop the deceptive advertising, and which the FTC is now working to implement. The credit bureaus have got to clean up their act.

What we can do today is pass the Udall-Lugar amendment, which would require that every time a consumer suffers an adverse event—such as a rejected loan—or receives materially less favorable terms—such as a high interest rate on a credit card—due to the consumer's credit score, the lender or potential lender would have to provide that credit score to the consumer. This requirement would enable people to find out what the credit bureaus are telling their creditors about their credit risk, whenever that information is used against them.

This amendment would help Americans take control of their credit histories, help restore fairness in the credit industry, and begin to close a gaping loophole that the credit bureaus have been exploiting for years. I commend Senator UDALL for his leadership on this issue and encourage my colleagues to vote for it.

Mr. DODD. Mr. President, I support the amendment offered by Senator COLLINS, amendment No. 3879, and thank the Senator from Maine for her efforts to protect the financial stability of the United States and safeguard the financial security of families in her State of Maine, my State of Connecticut, and all across America. Her amendment complements the provisions in my bill, S. 3217, that strengthen capital standards for large, interconnected financial companies. Under S. 3217, the Federal Reserve must impose heightened standards for leverage and risk-based capital on large bank holding companies and on nonbank financial companies supervised by the Federal Reserve. These tougher standards will serve as speed bumps to keep financial companies from growing too large and risky and threatening the nation's financial stability.

The Collins amendment, endorsed by FDIC Chairman Sheila Bair, would prevent regulators from weakening risk-based capital and leverage standards now in effect. It effectively sets a floor for such standards going forward that would apply to all banks, bank holding companies, and nonbank financial companies supervised by the Federal Reserve. The Collins amendment also reinforces the bill's requirement that capital for large, interconnected financial companies should reflect the risks that their failure may pose to financial stability.

As Chairman Bair noted, bank holding companies are supposed to serve as a source of strength for the banks they own. But during the financial crisis, many large bank holding companies became a source of weakness and ultimately required Federal support. The crisis also revealed how dangerously overleveraged many large investment banks and other nonbank financial companies were. The Collins amendment and provisions of S. 3217 will help to ensure that the largest, most interconnected financial companies maintain a robust level of capital and to eliminate gaps in capital standards between banks and other financial companies that could undermine the financial stability of the United States.

Again, I thank my colleague from Maine, Senator COLLINS, for her valuable contribution to the collective, bipartisan effort here in the United States Senate to reform Wall Street and protect American families.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DODD. Mr. President, I want to share some thoughts, if I can for a couple of minutes, on one of the proposals that will be coming up, I think, next week on the bill.

Again, I want to express my gratitude to all of our colleagues for the way in which this debate has been conducted. Contrary to what many people may think about the Senate, we are capable of having a full-throated debate, one filled with emotion and passion about strongly held views, and yet also respect each other to allow for the debate to go forward and amendments to be considered and voted up and down.

I think we have done that now some 33 or 34 times over the last 6 or 7 legislative days. I know there is much more to be done in the coming days before we conclude our consideration of the Wall Street reform bill. But it is a reflection of how this institution can operate and how we should operate, in my view, on a matter of this import.

So it is not only important about what we are doing in terms of reforming the financial system of our Nation, but I would argue in a way history may never record it as such, but also how we conducted this debate on an important issue. It may not make the headlines, but it is very important for the integrity of this institution and as a model for how important comprehensive legislation can be handled.

I know it is cumbersome. I know it can take a long time. There are delays that occur during consideration of matters in the Senate. But that is as it was intended by our forefathers, in a sense, to have an institution where there would be the ample opportunity for debate, including unlimited debate by any one single Member, contrary to the other Chamber that comprises the Congress where they are limited to 5 minutes, and the majority rules allow for matters and insists upon the majority prevailing.

In this institution the rules favor the minority, including a minority of one that can engage in extended debate. So we are different in this institution and with good reason. If they had wanted a unicameral system of one body, where just majority rules would prevail every time, they would have created it. In fact, they tried to.

But I take some pride in the fact that it was two Senators from Connecticut, Oliver Ellsworth and Roger Sherman, who in the consideration of the Constitutional Convention—when all was about to fail over a contest between large States and small States; they were fearful that large States, having the dominant number of members in the Halls of Congress, would be overwhelmed and their interests be disregarded because they did not have the votes to counter it—so Oliver Ellsworth and Roger Sherman came up with the idea of creating a bicameral system, one wherein one body's membership would be made up based on population, the size of the State, the number of seats it would hold, and this body, regardless of our size, would have equal representation.

So the smallest of our States, States such as Wyoming with a few hundred thousand people, has two Senators. The State of California, with millions of people, has two Senators. So regardless of size, regardless of economic influence or other matters, we are all coequals, at least as far as our States are represented and the opportunity as well for minority voices to be heard, not overwhelmed with the tyranny of the majority which can happen.

So there is a value to the existence of the Senate, and we are slower to act. It can be frustrating, as my colleague and Presiding Officer has come to appreciate, and as a former Speaker of his own State legislative body, I know he appreciates how difficult that can be as a leader in trying to move business and product along so that matters can be considered.

So I say all of that as a backdrop because in recent years, recent months, in fact, we have been bogged down, frustrated. There has been a lot of obstructionism that has gone on to prohibit us to move forward on important matters. But at least in this case, up to now at this point anyway, we have conducted this debate on financial reform in a way that I think our forbearers would have appreciated.

Members have had ample opportunity. The rules are still there for them to use to make sure they can be

heard in these matters. But, again, I emphasis that while the subject matter of our consideration certainly is tremendously important, the means and the manner by which we have conducted debate also has value.

It is with that backdrop that I want to again thank my colleagues, Democrats and Republicans. I thank majority leader HARRY REID because without his insistence as the leader, this could not happen. I think the fact that he has demonstrated as a leader the ability to move this institution in a way that allows for equal participation and debate is a great tribute to the leadership he has demonstrated as majority leader of the Senate over many years now.

This morning I would like to concentrate, if I could, on one subject matter, as I mentioned, that will probably come up in the next few days when we reconvene at the first part of next week. That has to do with a very important part of this bill, one in which the Presiding Officer has demonstrated great interest, and I have a tremendous amount of interest in as well.

It deals with the issue of establishing, for the first time in our Nation's history, an actual bureau, a division, that is designed specifically to protect individual consumers from what can happen to them when financial matters put them in a desperate condition, whether it be on credit cards, home sales, all sorts of other financial activities. There has been no place that actually consumers' interests are paramount.

There are seven agencies in the Federal Government that have divisions that deal with consumer protection. But the history has been one of either malfeasance, inaction, uninterest or lack of interest. What we are creating is a place where the dominant principal, sole interest will be to watch for consumer interests.

One of the debates we are going to have is whether a major area of financial interest will be exempted from the consideration of the Consumer Financial Protection Bureau, and that is in the area of financing an automobile.

I know this has been one of the most heavily lobbied parts of the whole Wall Street reform bill. I certainly understand that many of us know our auto dealers back home make important contributions to our communities. I said in my remarks the other day, I have worked very closely with the car dealers of my State over recent past years and months.

We have had major debates about the automobile industry and the rights of auto dealers, the cash for clunkers bill, to try to increase sales, which is something I was deeply involved in to try to make it possible for our automobile dealers and manufacturers to get back on their feet.

So I take a back seat to no one in my concern and care about the work they do, the economic vitality they provide for our community, the jobs that get created as a result of their efforts. My debate and argument is not with the auto dealers; it is over the financing of automobiles and how that occurs, and whether consumers are going to be protected in what for most Americans is the second largest purchase any of us ever make.

Our home, if we have one, is the most important. Then, secondly, is the purchase of an automobile. Most Americans, other than having a 401(k) for retirement, do not deal with the stockbrokers every day, are not buying or trading or engaging in sophisticated financial instruments. That is limited to a few of the 300 million in our population.

But you only need to get up in the morning and head off to work, and you know that everybody needs an automobile—one might argue maybe too many. But, nonetheless, that is a separate debate. So that purchase of an automobile is critically important to people. It is a critical part of our economy.

But it is over the financing of automobiles, in certain areas, that I have great concern and do not want to see consumers disadvantaged. So it is in that spirit that my support and admiration for people who work in that sector of our economy, to say to you today that those responsible corporate citizens, small businesses, have nothing to fear from this legislation whatsoever.

They conduct their business admirably, ethically, morally. They treat their customers as if they were members of their family. That is the overwhelming majority of people who engage in the sale of automobiles. But like all statutes and laws, they are not designed necessarily for the majority of people who operate within the law and act and operate ethically and morally.

We also understand there are those who take advantage of people, and so we craft legislation to protect all of us against those abuses that can occur. As President Obama said on April 22:

> Unless your business model depends on bilking people, there is little to fear with this legislation at all.

In fact, there is nothing to fear. In a challenge to this Congress, Michael Hayden, from the Military Officers Association of America, said to us the following:

> You have an opportunity to do something about unscrupulous auto dealers. The aboveboard firms should not have a problem with the Consumer Financial Product Protection Bureau.

They should not, and let me explain why briefly this morning. First, the Wall Street reform legislation as being considered by the Senate has gone more than halfway to meet the concerns originally raised by financing of automobiles. The bill, and let me enumerate, eliminates assessments on the auto dealers. Unlike other financial institutions, there are no assessments on auto dealers.

The Brownback amendment would prohibit assessments. The underlying bill already does that. There is no reason for that provision in the amendment of my colleague from Kansas. The bill further eliminates the authority of the bureau of financial protection to examine and enforce new rules on auto dealers.

State authorities and the Federal Trade Commission will continue as they have to perform this role. Thirdly, as a result of our bill, the only impact the consumer bureau will have on auto dealers is through rule writing. It is crucial that auto dealers, in the financing of autos, play by the same rules as their competitors do in communities all across our country.

One has to ask: What could be more reasonable than that? There are a variety of places people can go to finance an automobile. You can go to a credit union; you can go to your community bank. There may be other means by which you can finance. Why should we disadvantage those institutions in a community at the expense of one other who is seeking exemption from these rules?

That brings me to the second point. The legislation we have written creates a level playing field among auto dealers, community banks, credit unions, and others. This will empower consumers to shop effectively for the best financing available as they see it. They ought to have that opportunity, not fearing that if they go to one financial service provider or another, the rules apply in one case and do not in another. That disadvantages all consumers in this country who want to be able to shop effectively.

How many times have we seen that ad: When providers of financial services have to compete, consumers win? If they have to compete on a level playing field, then we are going to make it possible for people to get the best value that is available to them.

Consumers should be treated the same regardless of whether they get a loan from an auto dealer, a credit union, a community bank, or anyone else for that matter who is engaged in the financial products and service industry.

Community banks and credit unions should not be forced to live under more stringent rules for making auto loans than do auto dealers. Just imagine, in small communities, where on the same street you might have a community bank, a credit union, and an automobile dealer that is financing automobiles.

Why should there be a disparity in terms of the protections consumers get depending upon which door they walk through on that Main Street: walk into the credit union, walk into the community bank, or walk into the auto dealer who is financing. Why should that last place be treated differently than the other two when it comes to financing?

That is at the heart of what our bill is trying to do. That is what makes it especially important that car salesmen follow the same rules and provide customers with clear, transparent, easy-

to-understand information, so those consumers, those who are also our neighbors, are empowered to make smart financial choices for themselves and their families without having to worry about hidden markups that can cost them hundreds of dollars over the course of paying off a loan.

Let me emphasize again what I said at the outset. The overwhelming majority of auto dealers play by the rules. Again, I am not talking about the vast majority that do this but the unscrupulous ones, those who engage in ripping off people and are doing everything they can to get away with it.

That is what the legislation is designed to deal with. This is the way the marketplace is supposed to work, where people can shop fairly, knowing the rules apply to everyone equally, and there is competition to provide higher quality products and services and better prices.

A strong consumer bureau will be good for responsible auto dealers as well. If the Brownback amendment wins, Wall Street wins, and those responsible dealers will lose. Let me explain why this is true.

If auto dealers are carved out of this bill, as the Brownback amendment would do, it means we are essentially exempting Wall Street-funded auto dealers and putting credit unions and community banks at a disadvantage. It means Wall Street will continue to incentivize auto dealers to offer bad, overpriced loans that make it impossible for responsible dealers to compete. We have seen this time and time again in every market. The bad money pushes out the good money. The responsible players who play by the rules are undercut by the sharp dealers who cut corners.

Furthermore, a strong consumer bureau will restore America's faith in auto dealers and the loans they make. Responsible auto dealers ought to welcome this. What happens when we have this kind of uneven playing field? Unfortunately, we have seen many cases where people, particularly those serving in the military, have been the victims of shady auto dealers' financing practices. Let me share some of the many stories I have heard, and I know my colleagues have as well.

A recent news story describes five young men and women in uniform at Fort Riley, KS who were conned into paying for phantom options on vehicles they bought from a local auto dealer. In other words, they were charged for options on their cars they never received. According to their lawyer, despite having decent credit scores, these young men and women in uniform were ending up paying interest on their car loans averaging almost 18 percent.

Yesterday I told a story that appeared in the New York Times of Matthew Garcia, a 25-year-old Army specialist who was recently subjected to a trick called ''yo-yo financing'' by an unscrupulous car dealer, just as he was preparing to deploy to Afghanistan. Specialist Garcia, stationed at Fort Hood, TX, bought an automobile at a used car lot and signed up for a loan at 19.9 percent interest rate. That is not even the biggest abuse, however, believe it or not. The problem came when he drove the car home. The auto dealer called him up several days later to say the financing contract had actually fallen through and demanded an additional $2,500 in cash. To make sure he paid up, the dealer blocked the soldier's car so he could not leave.

In North Carolina, SGT Diann Traina, who works in military intelligence/psychology, purchased a used BMW from a dealership near Fort Bragg. The dealer who sold Sergeant Traina the car never provided her with the registration and, in fact, did not have title to the car. Sergeant Traina got to drive the BMW for 1 week before she was deployed to Iraq. Then it was repossessed. Through no fault of her own, she now has a repossession on her credit rating, her credit. In addition, the lender insists she has to pay $10,800 that is still owed on the car. She is married. She and her spouse have been without the use of a vehicle for a long time but are still being pressured to pay for it. Sergeant Traina later learned that the dealer where she brought her automobile had sold numerous cars to military personnel, even though it didn't own them. The North Carolina Attorney General eventually sued the dealership, and it has subsequently gone out of business.

This story is a classic example of predatory auto lending, where the dealer is clearly culpable and the military member had no way of knowing in advance that the dealer was selling automobiles and originating loans for vehicles it did not own. This type of practice is actually fairly common among unscrupulous auto dealers who finance, particularly, around military bases. Some go in and out of business repeatedly, reopening under different names each time, leaving many customers in the lurch. Regrettably, this kind of abuse of lending to members of the military and their families is far too common.

Holly Petraeus, who directs a better business program for military families, noted at a press conference yesterday that auto lending to the military needs oversight, because:

> Sadly, many of [those in the military] end up paying far more for those cars than they should.

That is why The Military Coalition, a consortium of over 30 nationally prominent military and veterans organizations representing more than 5.5 million current and former servicemembers and their families, opposes the Brownback amendment. We talk all the time about protecting and defending and standing up for our men and women in uniform, many of whom are in Iraq and Afghanistan in harm's way. Yet we are about to pass legislation that would exempt automobile financing dealers from the very people we try to protect. I am not making up these quotes and these numbers. When we have that many organizations expressing their opposition to this amendment, Members ought to take note. Again, I emphasize—I know my language here is talking about auto dealers in a generic way. I emphasize over and over, the overwhelming majority do a good job, a fair job, an ethical and moral job, but they would tell us themselves how they can be disadvantaged by those unscrupulous dealers who take advantage, particularly of the young men and women in the military.

The coalition includes such groups as the Veterans of Foreign Wars, the National Guard Association, Military Officers Association, the Military Order of the Purple Heart, and many others which oppose the Brownback amendment. I am taking advantage of this time today to tell my colleagues, please pay attention to this. I know we care about our auto dealers. I know they have been lobbying heavily. But they should not receive an exemption in the financing area that can put so many people at a disadvantage.

The coalition, in fact, sent me a letter. I wish to read a little from the letter. I quote:

> The most significant financial obligation for the majority of servicemembers is auto financing. Including the auto dealer financing . . . in the financial reform bill will provide greater protections for our servicemembers and their families.

The letter goes on:

> Providing a carve-out for auto dealers does just the opposite—it will allow unscrupulous dealers to continue to take advantage of servicemembers and their families.

Clifford Stanley, Under Secretary of Defense, said in a letter to the assistant Secretary of the Treasury Michael Barr that the Department of Defense ''would welcome and encourage the [Consumer Financial Protection Bureau] protections provided to Servicemembers and their families with regard to unscrupulous automobile . . . financing practice.''

Secretary Stanley cites the ''bait and switch'' financing, falsification of loan applications, failure to pay off liens on trade-in vehicles, ''packing'' loans with items whose price bears little if any relationship to the real cost, and discriminatory lending as the kinds of problems members of our Armed Forces and their families face when dealing with financing their automobiles with car dealers. In fact, Secretary Stanley reports that 72 percent of counselors and attorneys surveyed have cited problems with auto dealer abuses in the past 6 months alone.

This is not my list of abuses. This is the Under Secretary of Defense in a letter.

Two days ago Senator JACK REED and Senator SCOTT BROWN of Massachusetts offered an amendment to create an office of military liaison within the consumer protection bureau. That amendment carried 98 to 1. Only one colleague voted against providing an office within the Consumer Financial

Protection Bureau with the kind of protections the Secretary of Defense is talking about in his letter.

The amendment carried by a vote of 98 to 1 because Members recognize that our service men and women deserve protection from these shady financial service providers, including, of course, the major abuser, the very group that our colleague from Kansas wants to exempt from this legislation.

A crucial part of providing this protection is coverage of auto dealers. Yesterday I received a letter from the Secretary of the Army John McHugh. Secretary McHugh makes the point that auto dealers are often ''the most significant financial obligations of our soldiers—particularly within the junior enlisted grades . . . ''

If we carve out auto dealers—the businesses that make the loans that are ''the most significant financial obligations of our soldiers,'' in the words of the Secretary of the Army—why did we vote to create the military liaison office in the first place?

If we pass the Brownback amendment and carve it out of our legislation, we will have gutted the very office of military liaison before it even gets off the ground.

Yesterday the Senator from Kansas made the point that we ought to regulate the people who are making the loans, not simply the people who are processing the paperwork. I agree. By that standard, we should defeat the Brownback amendment because, in fact, the auto dealers are the legal lenders. It isn't the financing company. The legal lender is the automobile dealer who engages in financing of automobiles. Auto dealers finance cars in much the same way mortgage brokers and bankers finance mortgages. They shop among a number of wholesale lenders, often on Wall Street, and they steer buyers into higher interest rates than those borrowers would otherwise qualify for. In exchange, the auto dealers who get this kind of financing get the equivalent of a yield spread premium or a backend payment. The higher the interest rate they can get the borrower to agree to, particularly service men and women, the higher the payment the auto dealer receives from the Wall Street financing firm.

The incentive is to get the customer to pay as much as possible. That is the way they get rewarded financially. This is not the way the market should work, whether it is for a young soldier, a first responder, or a single mother working hard to raise her family.

Let me read the court testimony of a former auto dealer finance and insurance manager from Tennessee about how the process works. Again, this is a former auto dealer finance and insurance manager in court testimony. I am quoting:

> The standard industry practice is to prepare financing documents so that the customer is not alerted in any manner that the person with whom he is dealing has the ability to control the customer's price of credit.

Let me explain that. The dealer ''has the ability to control the customer's price of credit.''

He continues:

> This allows the finance arranger to present himself as the ally of the customer, which further relaxes and disarms the customer. . . . The nature of the transaction creates the perfect opportunity for a dealer to obtain a large kickback from an unsuspecting customer by subjectively inflating the interest rates.

What better evidence could we have than someone in court testimony engaged in the very business telling us exactly how it operates? Again, the Brownback amendment would basically exempt that person from the rules of consumer financial bureau. What does this remind us of? It reminds me exactly of the mortgage broker I described a few days ago, who is taught and encouraged in training sessions to convince the borrower that he is their financial adviser while profiting from steering the customer into the more expensive loans.

Let me go back and read the quote from the witness, the former auto dealer finance manager:

> This allows the finance arranger to present himself as the ally of the customer. . . .

Tell me what difference there is between that and the unscrupulous broker who tries to convince a borrower that ''I am your financial adviser''? It is exactly the same kind of abuse. So the mortgage broker, without any regulations, gets away with it. If we adopt this amendment, it will allow the automobile finance dealer to get away with it as well. We ought not to allow that to happen in this legislation.

Moreover, there is a history of discrimination in auto dealer financing. For example, African-American borrowers were charged more than 2.5 times the amount in subjective rate markups compared to majority White populations, after controlling for creditworthiness. And similar disparities were found for Hispanics. These abuses have been curbed temporarily as a result of a series of court orders and consent decrees. However, these consent decrees expire, and they will shortly.

Finally, the Brownback amendment is simply unworkable and would create a duplicative bureaucracy. The amendment leaves rule writing under the Truth in Lending Act with the Federal Reserve for auto dealers loans only. All other Truth in Lending Act rules will be written by the consumer bureau. That means the Fed will have to maintain a separate bureaucracy to write rules for this one sector of the lending industry—not the legal, responsible entity, the auto dealer—while the consumer bureau writes the Truth in Lending Act rules for everyone else.

Frankly, that makes no sense whatsoever. One of the things we are trying to do is to get rid of unnecessary burdensome paperwork and duplication.

Several weeks ago, when the debate on this Wall Street reform bill first started, I told my colleagues about the Luntz memo, which lays out a strategy for attacking real Wall Street reform. Well, let me read to my colleagues one thing from the Luntz memo I happen to agree with, and it is the following—I quote from the memo:

> The public is angriest about lobbyist loopholes. Part of the perception that Washington cannot do anything right is the belief that lobbyists write most of the bills. The American people are tired of add-ons, earmarks, and backroom deals—but they are mad as hell at ''lobbyist loopholes.''

What is one of the loopholes that Mr. Luntz's memo refers to specifically? Car dealers—the very lobbyist loophole the Brownback amendment would create. The memo, in fact, warns specifically about this amendment we may be asked to vote on because it has been so heavily lobbied by those who would take advantage, unfortunately, of people.

Finally, I would like to read to my colleagues a statement on this amendment that the White House released yesterday from the President of the United States. The President says:

> Throughout the debate on Wall Street reform, I have urged members of the Senate to fight the efforts of special interests and their lobbyists to weaken consumer protections. An amendment that the Senate will soon consider would do exactly that, undermining strong consumer protections with a special loophole for auto dealer-lenders. This amendment would carve out a special exemption for these lenders that would allow them to inflate rates, insert hidden fees into the fine print of paperwork, and include expensive add-ons that catch purchasers by surprise. This amendment guts provisions that empower consumers with clear information that allows them to make the financial decisions that work best for them and simply encourages misleading sales tactics that hurt American consumers. Unfortunately, countless families—particularly military families—have been the target of these deceptive practices.
>
> Claims by opponents of reform that this legislation unfairly targets auto dealers are simply mistaken. The fact is, auto dealer-lenders make nearly 80 percent of the automobile loans in our country, and these lenders should be subject to the same standards as any local or community bank that provides loans. Auto dealer-lenders offering transparent and fair financing products to their customers should welcome these reforms, which will make their competitors who don't play by the rules compete on a level playing field.

The President concludes by saying:

> We simply cannot let lobbyist-inspired loopholes and special carve-outs weaken real reform that will empower American families. I urge the Senate to continue to defeat the efforts of special interests to weaken protections for all American consumers.

I further note that while I have emphasized what happens among the 5.5 million of our service men and women and how they are treated in overwhelming cases and that I do not recall another time the Department of Defense and military organizations have gotten involved in a debate such as this—normally, they get involved in debates involving the armed services of our Nation, national security issues,

but the fact that they have gone out of their way to communicate to me and every other Member of this body about their concerns over the Brownback amendment ought to set off alarm bells to each and every one of us. Rare is it, indeed, when the Secretary of the Army or the Secretary of Defense or military associations, such as the Veterans of Foreign Wars and others, write to Members of Congress about something such as this. Yet they feel so strongly about it that they are urging us not to succumb to the temptations of carving out this second most important financial arrangement that most Americans ever engage in: the purchase of the automobiles they need.

I would also point out that among the Better Business Bureau statistics, the single largest number of complaints—and the number hovers around 70 percent nationwide—aside from the military side, come in the area of automobile dealer financing arrangements; that is, almost 75 percent of all complaints are in this one area. What more information do you need to have about whether we ought to keep this section of the bill intact to make sure they are not going to be exempt from these kinds of activities?

So when the amendment comes up, I will speak further about this. But I wished to remind my colleagues particularly of the information we are receiving from our military organizations, from the military at the Pentagon, and others about how important this issue is.

I noticed the other day there were votes in the other body to increase the pay of our military men and women and I applaud that and agree with that. We have taken steps. JIM WEBB, our colleague from Virginia, recently got passed a bill of rights for our veterans, which we all applauded and supported.

As I said, the other day JACK REED and SCOTT BROWN of Massachusetts, by a vote of 98 to 1, got passed an amendment that creates within this bureau the only special section of this bureau designated to protect a class of our citizenry—one designed to protect our men and women in uniform. It is the only one. We do not have a section for the elderly or for students or for anyone else. The only class we protected by a vote of 98 to 1 is our military.

For, particularly, our junior age military, they do not own homes yet. They are too young. They are 18-, 19-, 20-, 21-year-olds. Their largest purchase is in the automobile area. What an irony it would be to have adopted an amendment to create a special division within the consumer protection area to protect our men and women in uniform—we are told by the Defense Department the single largest area of abuse of these young men and women is in automobile financing—and yet we are about, next week, to exempt it from this bill.

I cannot believe that will happen. I am hopeful my colleagues, as much as we respect our friend from Kansas—and I do. Senator BROWNBACK and I are very good friends. We work together. In fact, on several provisions of the bill, he and I support the same ideas. But on this one, I passionately disagree with what he is trying to do. I think it is a carve-out. It is a loophole.

There are 1,000 lobbyists in this town doing everything they can to gut one provision after another in this bill. Millions of dollars are being paid for them to walk the halls of these buildings to do everything they can to gut this kind of legislation. What a tragedy it would be that on the cusp of adopting this legislation, for the first time establishing a national Consumer Financial Protection Bureau in our Nation, that we would carve out an area that affects the very young people who are sitting in harm's way in Afghanistan, Iraq, and elsewhere around the world. My hope is we would not let that happen.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DODD. Mr. President, this is not a unanimous consent request I am making, but just based on the conversations we have had between the majority and the minority in preparation for votes next week—I know Members will be interested about possible votes—there will be votes, we are hoping and planning, on Monday evening, I think it is fair to say, at sometime around 5:30 p.m.

At least the amendments I think we can have some votes on Monday evening involve the amendment of Senator UDALL of Colorado, dealing with credit scores; the amendment of Senator CORNYN of Texas, dealing with the International Monetary Fund, the IMF; the amendment of Senator ROCKEFELLER and Senator HUTCHISON, dealing with the Federal Trade Commission; the amendment of Senator BOND, Senator WARNER, and myself, dealing with angel investors as well.

Those are four amendments we may have recorded votes on. Some may be voice votes, but those are four we think we can have votes on, on Monday evening. So we are planning to have votes.

MORNING BUSINESS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

COLORADO'S HEROES

Mr. UDALL of Colorado. Mr. President, I rise today to pay tribute to our wounded warriors. This week at the Olympic Training Center in Colorado Springs, more than 200 wounded warriors from every branch of the military are competing in the inaugural Warrior Games. This event is the brainchild of Brigadier General Cheek, with whom I spent the day at Fort Carson last week visiting the Warrior Transition Unit there.

These soldiers do so much in defense of our country, yet we are not often in a position to cheer their performance. This week, we can. Although I am not able to be in Colorado to cheer them myself, I wanted to cheer them on here, from the Senate floor.

These games are a partnership between the Department of Defense, the U.S. Paralympics, and other organizations that are working together to give our wounded warriors an opportunity to push themselves, set goals, and demonstrate their abilities. The Army sent 100 competitors—chosen out of a pool of almost 9,000 wounded warriors—the Marine Corps sent 50, the Air Force 25, and the Navy and Coast Guard 25 combined. These military members and veterans have physical injuries as well as mental wounds of war, and they are competing in swimming, cycling, wheelchair basketball, archery, track, and sitting volleyball, among other events.

This week's Warrior Games is about the abilities of these warriors, not their disabilities. And it is about goal-setting, which can expedite the recovery process.

This mindset is important for all our wounded warriors, not just those competing in the Games this week. General Cheek has said that ''While we've made enormous progress in all the military services in our warrior care . . . it's not enough. . . . What we have to do with our servicemembers is inspire them to reach for and achieve a rich and productive future, to defeat their illness or injury to maximize their abilities and know that they can have a rich and fulfilling life beyond what has happened to them in service to their nation.''

I agree with General Cheek and believe that today the Army is working hard to help our wounded warriors in their difficult transition back to service or to life in the civilian world. But the Army acknowledges that it has faced some serious challenges when it comes to caring for our injured troops, especially those who have experienced brain injuries and psychological wounds. While I have seen real improvements in the quality of care, I also know that many of those same challenges still exist.

After my visit to the Warrior Transition Unit at Fort Carson last week, I am especially concerned about reports of overmedication and substance abuse among injured service members and

about delays in the disability evaluation process. I spent a few hours talking with separate groups of WTU soldiers, cadre, and clinicians in very frank discussions about their experiences and concerns. I heard positive stories too—of men and women facing life-changing injuries who said they couldn't have gotten back to active duty without the help of the WTU.

Our young men and women have a heavy burden—they are fighting two wars, often serving multiple tours of duty in Iraq and Afghanistan. We owe them the best care possible when they are injured, and I know the Army—from General Casey to the youngest privates who are watching out for their team mates—are working hard to provide this care.

This will be especially important now at Fort Carson as the 4th Brigade Combat Team, 4th ID begins to come home. A few hundred of the brigade's 3800 soldiers have returned so far, with another few hundred due home today and more due home in the coming weeks. These soldiers have been in Afghanistan for the last year, assisting the Afghan National Army with security, governance and peacekeeping operations in Kunar province, on the Pakistani border.

The need to provide resiliency training and specialized care for our soldiers continues before, during, and after deployments. Fort Carson's Mobile Behavioral Health Teams have already identified about 920 soldiers of the 4th BCT—approximately one-quarter of the brigade—as having risk factors for depression or anxiety, exacerbated by their sustained combat, who will receive additional evaluations after returning home. About 100 of the Brigade's soldiers are expected to join Fort Carson's Warrior Transition Unit upon their return. Major General Perkins and his team at Fort Carson have worked hard to get in front of behavioral health issues, initiating this program to put behavioral health teams in with the units and work with them even before they return home so that we can identify soldiers who need help.

As the 4th BCT comes home, I want to take a moment to remember the heroes that we lost in Afghanistan. Fifty brave soldiers from this unit and supporting units have died in the past year. Those who have fallen, their families, and their fellow soldiers will not be forgotten. Here are their names:

Steven Thomas Drees
Gregory James Missman
Jason John Fabrizi
Randy L.J. Neff, Jr.
Joshua James Rimer
Patrick Scott Fitzgibbon
Richard Kelvin Jones
Jonathan Michael Walls
Matthew Lee Ingram
Matthew Everett Wildes
Youvert Loney
Randy Michael Haney
Tyler Edward Parten
David Alan Davis
William L. Meredith
Justin Timothy Gallegos
Christopher Todd Griffin
Joshua Mitchell Hardt
Joshua John Kirk
Stephan Lee Mace
Vernon William Martin
Michael Patrick Scusa
Kevin Christopher Thomson
Kevin Olsen Hill
Jesus Olar Flores, Jr.
Daniel Courtney Lawson
Glen Hale Stivison, Jr.
Brandon Michael Styer
Kimble Andrus Han
Eric Nathaniel Lembke
Devin Jay Michel
Eduviges Guadalupe Wolf
Jason Adam McLeod
Kenneth Ray Nichols Jr.
Elijah John Miles Rao
Brian Robert Bowman
John Phillip Dion
Joshua Allen Lengstorf
Robert John Donevski
Thaddeus Scott Montgomery, II
Bobby Justin Pagan
John Allen Reiners
Jeremiah Thomas Wittman
Michael David P Cardenaz
J.R. Salvacion
Sean Michael Durkin
Michael Keith Ingram, Jr.
Grant Arthur Wichmann
Nathan Patrick Kennedy
Eric M. Finniginam

Each of these soldiers served with honor, valor, and pride in the mission. While we mourn those who fell, we will forever honor their memories, and we take great pride in the courage, determination, and heroism of the entire 4th Brigade Combat Team and its supporting units. Under the exemplary leadership of Colonel Randy George and Command Sergeant Major Sasser, the 4th BCT has achieved remarkable success in some of the most hostile terrain on earth. Their efforts clearly illustrate why Fort Carson is known as ''The Home of America's Best.'' On behalf of all Coloradans, I say ''welcome home, heroes, and thank you.''

CONSIDERATION OF THE NEW START TREATY

Mr. SESSIONS. Mr. President, I rise today to address some very important concerns that arise in my mind in the evaluation of the new Strategic Arms Reduction Treaty, START, that was submitted yesterday to the Senate for advice and consent to ratification. I do not believe that the Senate must ratify this treaty, as some of my colleagues suggest. But, rather, I begin with the proposition that a new treaty with Russia is not essential for our national security; may well be a distraction from addressing the real threats of nuclear proliferation by other nations and nuclear terrorism; and to the extent the President puts forth this treaty as a step toward his idea of a world without nuclear weapons, it is a naïve and potentially risky strategic approach.

Basically, the purpose of arms control is to reduce the risk of war by enhancing strategic stability and security and, if possible, lessen the costs of preparing for war. It is clear that the strategic balance between the United States and Russia is, for the most part, stable, while U.S. and Russian nuclear arsenals are already on a downward slope.

Both sides had made a commitment, under the 2002 Moscow Treaty, to reduce deployed nuclear weapons to a range between 2,200 and 1,700 warheads, which was a significant reduction from the START I level of 6,000 warheads. Furthermore, the United States has no plans to increase the size of its nuclear force, and it appears to most informed observers that Russia, for economic reasons, was headed to even lower levels. Quite simply, there is no responsible prospect of an expanding nuclear weapons competition between our two nations. The United States and Russian nuclear arsenals are not the real problem today. Regrettably, the one category of nuclear weapons in which there is a true imbalance—tactical nuclear weapons—is not addressed by the new treaty.

I would agree with my colleagues, such as Senator DICK LUGAR, that the verification provisions under START I should not have been allowed to expire with the treaty on December 5, but this could have been dealt with through a simple 5-year extension as permitted by the START I treaty. Instead, the administration was committed to a more ambitious approach which it has found to be more challenging than expected, which in turn has led to more U.S. concessions.

The President wanted to take a significant, tangible step toward his vision of a more peaceful world without nuclear weapons—a vision I find naïve at best and, if achieved, likely to make the world less safe. As nuclear strategist and Nobel laureate Thomas Schelling has recently observed, a world without nuclear weapons would be one in which countries would make plans to rearm in order to preempt other countries from going nuclear first. Schelling writes: ''Every crisis would be a nuclear crisis. The urge to preempt would dominate; whoever gets the first few weapons will coerce or preempt. It would be a nervous world.''

So far, at least, nuclear weapons have imposed restraint on world powers—what will happen to that restraint in the absence of nuclear weapons? What conclusions will the Russians and our allies draw from this vision of nuclear disarmament? Will our allies and partners, who have come to depend on U.S. nuclear security guarantees, pursue their own nuclear arms? Will Russia, which is increasing its dependence on nuclear weapons, interpret this as a sign of weakness and perhaps pursue a more muscular foreign policy directed against the west?

Additionally, if we draw our weapon numbers too low, the perverse result may be that smaller nations, or rogue states may believe they could become peer competitors.

In addition to the dream of nuclear disarmament, the administration's case for the new treaty rests on three

principal arguments: No. 1, that it will improve U.S. and international security by reducing U.S. and Russian strategic nuclear forces; No. 2, that it will transform or ''reset'' relations with Russia, such that Russia will now become a partner with the United States in addressing the true nuclear dangers of proliferation and terrorism; and No. 3, that it will provide the United States the moral credibility and leadership needed to pursue its nonproliferation objectives with the rest of the world.

First, the current declining stockpile of U.S. and Russian nuclear weapons is not a factor contributing to international instability, and reducing our current nuclear arsenal to the new START limit of 1,550 warheads will not have any impact on the nuclear or nonproliferation policies of the rest of the world. If reducing U.S. deployed nuclear forces from Cold War highs of over 10,000 nuclear warheads to the current level of some 2,000 has had no impact, why should the reduction of another 500 warheads make a difference?

States decide whether to acquire nuclear capabilities not because the United States and Russia have large nuclear arsenals but because those states believe nuclear weapons will enhance their national security, preserve their regimes, enhance their prestige, or further their ambitions. Likewise, states will determine whether to support U.S. nonproliferation efforts on the basis of their national interests, not on how low Russian and American nuclear stockpiles go.

As to the claim that a new START treaty with the Russians will improve relations or secure Russia's assistance in addressing other threats to international stability, there is little evidence to suggest this is the case. To the contrary, these negotiations have provided the Russians leverage over missile defense, prompt global strike, and verification issues that have marred the final agreement.

Finally, I don't see any significant cooperation from Russia in securing meaningful sanctions against Iran. To be sure, if we had any expectation that the new START treaty would secure Russian assistance in dealing with Iran, we should have drawn a more explicit linkage between the two. In other words: no new START treaty without concrete Russian assistance in obtaining a United Nations Security Council resolution imposing real, crippling sanctions on Iran. This may have been a missed opportunity.

Thus far, my remarks suggest I don't see decisive reasons to vote for the new START treaty—but are there reasons to vote against the treaty? The ratification process can help us examine several concerns.

As I evaluate the treaty, I will take a broad view that examines not only the implications for U.S. strategic nuclear forces but how this treaty impacts our relationship with allies and other military capabilities important to our national security. I will want to know whether this treaty disadvantages the United States in any way or makes us less safe or constrains our ability to extend nuclear security guarantees to our allies.

Finally, my decision whether to support this treaty will depend on the administration's firm commitment to a serious nuclear modernization effort for our weapons, nuclear laboratories, and delivery systems—for as we go to lower numbers of nuclear weapons, it becomes increasingly important that those remaining weapons be safe, secure, and reliable.

The central consideration in evaluating this treaty is the impact the proposed numerical limitations will have on U.S. nuclear forces and in particular our ability to extend the nuclear umbrella to our allies and partners.

The administration will have to provide additional details regarding the number of ICBMs, SLBMs, and heavy bombers the United States will field under the 700 strategic delivery system limitation—and how it plans to modernize those forces.

Last year, we were told by Admiral Mullen and General Cartwright that reductions below 800 delivery systems may be cause for some concern, while former Secretary James Schlesinger, in testifying on the new START treaty before the Senate Foreign Relations Committee, recently noted that the ''numbers specified are adequate, though barely so.''

We need to understand, therefore, the implications of this limitation, which requires a reduction of about 180 in the number of currently deployed U.S. delivery systems. In fact, the reduction in nuclear capability will be larger for the United States since the treaty requires that conventionally-armed—nonnuclear—ballistic missiles, in the case of prompt global strike, be counted against the 700 total.

Likewise, we need to understand how the Russians might configure their nuclear forces under the treaty and then conduct a net assessment to appreciate the true implications of the new START treaty for U.S. national security.

Perhaps the greatest deficiency of the new START agreement is that it does not address the 10-to-1 disparity between Russia and the United States in the area of tactical nuclear weapons. As Secretary Schlesinger recently testified, ''the significance of tactical nuclear weapons rises steadily as strategic nuclear arms are reduced.''

Russia simply refused to allow these into the negotiations. So the administration has left this for the ''next agreement,'' though I am not sure what leverage the United States will have over a Russia that has become more, not less, dependent on its tactical nuclear weapons.

An irony of this is that Russian tactical nuclear weapons, because they are more widely dispersed and greater in number, pose a greater risk of contributing to nuclear proliferation and terrorism which, according to the administration, this treaty is supposed to help us avert.

The Strategic Posture Commission estimates Russia may have approximately 3,800 operational tactical nuclear warheads and that the combination of new warhead designs and precision delivery systems ''open up new possibilities for Russian efforts to threaten to use nuclear weapons to influence regional conflicts.''

Likewise, Under Secretary of Defense for Policy Michele Flournoy has observed that the Russians are ''actually increasing their reliance on nuclear weapons and the role of nuclear weapons in their strategy.''

What if you are one of the 31 countries dependent on the United States for nuclear security guarantees? How would you interpret the fact that the United States is going down to 1,550 strategic warheads while the Russians maintain at least twice that number of shorter range nuclear warheads that in most cases are able to reach your country? What impact will this have on the credibility of U.S. nuclear guarantees and upon the incentives other countries may have to acquire their own nuclear capabilities?

One final point on this issue: It disturbs me that Russian tactical nuclear weapons were not addressed in this treaty, yet the United States conceded to Russian demands to place limits on conventional prompt global strike capabilities by counting conventional ICBMs under the limits for delivery systems.

It is striking, moreover, that the preamble would be ''mindful of the impact of conventionally armed ICBMs and SLBMs on strategic stability,'' yet be silent on the impact of tactical nuclear weapons on this very same strategic stability. What is more destabilizing: conventionally armed ICBMs or thousands of tactical nuclear weapons?

Despite being told consistently from the very beginning of negotiations that missile defense will be addressed only in the preamble of the treaty, we now discover that article V contains a direct restriction on U.S. missile defense activities (i.e., cannot convert ICBM or SLBM launchers into launchers for missile defense interceptors). Will this establish a dangerous precedent with respect to including missile defense limitations in future offensive arms control agreements? Why did the U.S. side feel it necessary to concede this point?

What raises concern, with respect to article V, are other efforts by the Russians to create a linkage between U.S. missile defense activities and Russian adherence to the new START treaty. When viewed together, the treaty's preamble, the Russian unilateral statement on missile defense, and remarks by senior Russian officials provide the potential for Russia to threaten or blackmail the United States against increasing its missile defense capabilities by threatening to withdraw from the treaty:

When the preamble states that ''current strategic defensive arms do not undermine the viability and effectiveness of the strategic offensive arms of the parties,'' does this not suggest that moving beyond ''current'' systems could provide grounds for withdrawal?

When the Russian's note in their unilateral statement that the treaty can operate and be viable only if the United States of America refrains from developing its missile defense capabilities quantitatively or qualitatively, and then links American missile defense capabilities to the treaty's withdrawal clause, should we not read this as an attempt to exert political pressure to forestall continued development and deployment of U.S. missile defenses?

Finally, what are we to make of Russian Foreign Minister Lavrov's warning on March 28 that ''the treaty and all the obligations it contains are valid only within the context of the levels which are now present in the sphere of strategic defensive systems''? Does this mean the Russians will pull out of START if we deploy additional ground-based interceptors in Alaska or if we deploy the SM–3 block IIB missile in Europe?

Despite the administration's assurances that none of this is legally binding, and that the U.S. unilateral statement counters this by expressing our intent to continue to deploy missile defenses, I can not help but worry that these provisions will have a negative impact on U.S. decisionmaking with respect to missile defense. After all, the administration did abandon plans to deploy ground-based interceptors in Europe—an action most believe was an irritant in United States-Russian relations.

There is something fundamentally disturbing about entering into a treaty with the Russians when we have such a divergence in view over a substantial issue like missile defense. To be sure, the Russian side has already expressed displeasure with U.S. plans to deploy missile defenses in Europe and to enhance the capability of the SM–3 missile to intercept long-range missiles launched from the Middle East.

Adding to my apprehension is recent testimony before the House Armed Services Committee by a senior Department of Defense official, who stated that the United States has not yet even approached the Russians to determine whether the SM–3 IIB is, will cause them to withdraw from the treaty. They can withdraw for any reason.

This likely sets the stage for misunderstanding and confrontation as the United States continues its missile defense activities, particularly in Europe.

Clarifying this ambiguity, coupled with affirmation by the administration that it intends to improve the defense of our homeland and go forward with all phases of its planned missile defense deployments in Europe, is a prerequisite for ratification of the new START treaty.

Our ability to verify Russian compliance with the new agreement is also important. One could even argue that as we go to lower levels of nuclear weapons, verification becomes more important, as the consequences of cheating become more profound. But the standard should not be whether we can verify Russian compliance with the terms of the treaty per se—though this is important—but whether we maintain sufficient confidence in our national ability to monitor developments in Russian strategic forces that, if gone undetected, could alter the strategic balance.

So when the administration argues that ''verification procedures in this Treaty will be simpler and less costly to implement than the old START treaty,'' I am inclined to ask why verification procedures have become less stringent and whether such procedures make it harder for the United States to fully account for Russian strategic forces. Specifically:

Will we be able to determine whether the Russians are developing new, more powerful missiles capable of carrying multiple warheads?

Are the Russians capable of secretly producing and storing missiles and warheads that could afford them a military advantage?

While we may have confidence in the number of missiles deployed by Russia today, can we maintain this confidence over the life of the treaty?

Ultimately, it falls upon our intelligence community to monitor Russian strategic force developments. Thus it is important for the Senate, as part of its advice and consent responsibilities, to review carefully the National Intelligence Estimate on our ability to effectively verify the treaty that normally accompanies arms control agreements. I don't believe we have seen that document yet.

I have identified just a few important issues the Senate will consider as we move forward, and it is likely there will be others as we continue to examine the treaty text, protocol, and annexes. Particularly troubling at this time is the disparity in tactical nuclear weapons which are not addressed in this treaty, and the constraints on missile defense and conventional prompt global strike in a treaty intended only to limit offensive nuclear weapons. At the very least this is a bad precedent, and I have no doubt Russia is attempting to revive the ABM Treaty regime and forestall U.S. prompt global strike capabilities.

This was a treaty that Russia needed more than the United States. Not only were Russian strategic nuclear forces headed to lower numbers for economic reasons, Russia wants an arms control agreement with the United States. Such a binational agreement validates its superpower status. The United States therefore had an opportunity to leverage Russian desire for an agreement to obtain Russian cooperation on a host of issues, starting with Iran. But the administration missed this opportunity because it was so anxious to advance its vision of a world without nuclear weapons that it failed to see how START could help address the more immediate threat of nuclear proliferation.

ADDITIONAL STATEMENTS

TRIBUTE TO GENERAL VICTOR EUGENE RENUART, JR.

• Mr. UDALL of Colorado. Mr. President, today I pay tribute to a great American who I have had the great pleasure of knowing and working with for a number of years. General Victor Eugene Renuart, Jr., is preparing to retire from the U.S. Air Force after nearly 39 years of distinguished military service, and it is fitting that we should honor his achievements.

Through peacetime and multiple armed conflicts and operations, General Renuart has embodied the core values of the Air Force: integrity, service, and excellence. He courageously demonstrated his dedication to our Nation and served us honorably as a leader, warrior, and teacher. I want to also express our deepest thanks to his wife Jill, and their sons Ryan and Andrew, for serving as the epitome of a dedicated military family. As you know, military families like the Renuarts are America's unsung heroes, and we owe them a tremendous debt.

Gene Renuart enlisted in the Air Force while our Nation was still engaged in the Vietnam war and received his commission from the Officer Training School in 1972. In the four decades since that day, he has amassed nearly 4,000 flying hours in seven aircraft types and piloted 69 combat missions in major operations. The call to service has led Gene and his family all over the world, and he has commanded units at every level through conflicts in Iraq, Bosnia, and Afghanistan. The long list of awards and decorations that General Renuart has earned during his career are a testament to his years of exemplary leadership and unrelenting focus on mission accomplishment.

As a lieutenant colonel during Operation DESERT STORM, General Renuart commanded the 76th Fighter Squadron ''Vanguards,'' who were trusted with a mission critical to the safety of the entire region. They hunted the Iraqi landscape in search of SCUD missile sites and protected Coalition troops from attack. General Renuart's squadron flew hundreds of combat missions and fought at the famed ''Highway of Death,'' leading to the liberation of Kuwait and defeat of the Iraqi Republican Guard.

It was clear to everyone who knew him that Gene Renuart was a leader of the highest caliber, and he quickly rose through the ranks. On September 11, 2001, then-Major General Renuart was serving as the Director of Operations for United States Central Command, and his leadership and experience were instrumental as our nation rapidly

transitioned from peace to war. General Renuart was soon providing operational orchestration for the invasions of Afghanistan and Iraq as our armed forces quickly eliminated those repressive regimes.

In March 2007, General Renuart was promoted to the rank of four-star general and appointed Commander of the North American Aerospace Defense Command and U.S. Northern Command. The general and his command were given the no-fail responsibility of protecting the United States and Canada against all threats in the air and on the seas, while leading the Department of Defense's support of civil authorities to save lives during both natural and manmade disasters.

With General Renuart's leadership, NORAD and USNORTHCOM widened its focus to anticipate threats to the United States and respond where necessary. The significant improvements of the unified national response to Hurricane Ike were born from the lessons learned from Hurricane Katrina and were a direct result of General Renuart's emphasis on anticipating our Nation's needs in times of disaster.

For this effort and many others, General Renuart and his team collaborated with over 120 mission partners representing Federal, State, and local governments, nongovernmental organizations, and private industry to quickly and responsibly execute key Department of Defense responsibilities in the National Response Framework.

He fostered synergy with the interagency community and collaborated with the militaries of Mexico and Canada to ensure North America's security. Whether expediting the transfer of helicopters and equipment to the Mexican military for counternarcotic operations or partnering with our northern neighbors under the Canada-United States Civil Assistance Plan to support the 2010 Olympic Games in Vancouver, General Renuart set and achieved tremendous goals for theater security cooperation.

Working together to defend the homeland, NORAD and USNORTHCOM have delivered unparalleled security for our Nation. Not only did NORAD achieve a huge milestone—surpassing 55,000 accident-free sorties flown defending our homeland under Operation NOBLE EAGLE—but more importantly, there has not been a single successful foreign terrorist attack on American soil. That success has been the result of the extraordinary diligence, cooperation, and dedication that have exemplified General Renuart's leadership.

On behalf of Congress and the United States of America, I thank General Renuart, Jill, Ryan, and Andrew for their commitment, sacrifice, and contributions to this great Nation. I am also especially pleased to say that General Renuart and Jill will be calling Colorado Springs home for many years to come. We Coloradans are honored to have them as neighbors and friends. I congratulate him on a truly remarkable career and wish him nothing but the best as he transitions from decades of service into his truly well-earned retirement.●

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13047 OF MAY 20, 1997, WITH RESPECT TO BURMA—PM 56

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. I have sent the enclosed notice to the *Federal Register* for publication, stating that the Burma emergency is to continue in effect beyond May 20, 2010.

The crisis between the United States and Burma arising from the actions and policies of the Government of Burma, including its engaging in large-scale repression of the democratic opposition in Burma, that led to the declaration of a national emergency in Executive Order 13047 of May 20, 1997, as modified in scope and relied upon for additional steps taken in Executive Order 13310 of July 28, 2003, Executive Order 13448 of October 18, 2007, and Executive Order 13464 of April 30, 2008, has not been resolved. These actions and policies are hostile to U.S. interests and pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to Burma and maintain in force the sanctions against Burma to respond to this threat.

BARACK OBAMA.
THE WHITE HOUSE, *May 13, 2010.*

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 11:41 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1067. An act to support the stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 3333. An act to extend the statutory license for secondary transmissions under title 17, United States Code, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Appropriations, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 4899. A bill making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes (Rept. No. 111–188).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BURR (for himself, Mr. AKAKA, and Mr. DURBIN):

S. 3377. A bill to amend title 38, United States Code, to improve the multifamily transitional housing loan program of the Department of Veterans Affairs by requiring the Secretary of Veterans Affairs to issue loans for the construction of, rehabilitation of, or acquisition of land for multifamily transitional housing projects instead of guaranteeing loans for such purposes, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. CANTWELL (for herself, Mr. CRAPO, Mr. BINGAMAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. WYDEN, Mrs. BOXER, and Mr. ENZI):

S. Res. 526. A resolution designating May 16 through May 22, 2010, as ''National Search and Rescue Week''; considered and agreed to.

By Mr. CASEY (for himself and Mr. CHAMBLISS):

S. Res. 527. A resolution supporting the designation of an appropriate date as ''National Childhood Stroke Awareness Day''; considered and agreed to.

By Mr. GRAHAM (for himself, Mr. NELSON of Florida, Ms. MURKOWSKI, Mr. SPECTER, Mr. CONRAD, Mr. DORGAN, Mr. BURR, Mr. INOUYE, Mr. BEGICH, and Mr. KERRY):

S. Res. 528. A resolution designating May 15, 2010, as ''National MPS Awareness Day''; considered and agreed to.

By Mrs. GILLIBRAND (for herself, Mr. BURRIS, Mrs. BOXER, Mr. BROWN of Ohio, Mr. CASEY, Mr. LEVIN, Mr. BROWNBACK, Mr. MENENDEZ, Mr. NELSON of Florida, Mr. SCHUMER, and Ms. COLLINS):

S. Res. 529. A resolution celebrating the life and achievements of Lena Mary Calhoun Horne and honoring her for her triumphs against racial discrimination and her steadfast commitment to the civil rights of all people; considered and agreed to.

By Mr. FEINGOLD (for himself, Ms. SNOWE, Mr. KERRY, Mr. BEGICH, Mr.

DODD, Ms. STABENOW, and Mr. CRAPO):

S. Res. 530. A resolution supporting the goals and ideals of ''National Women's Health Week 2010'', and for other purposes; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Mr. BROWN of Ohio):

S. Res. 531. A resolution supporting the goals and ideals of National Hepatitis Awareness Month and World Hepatitis Day; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 354

At the request of Mr. WEBB, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 354, a bill to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 1301

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1301, a bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 2749

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2749, a bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

S. 2768

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of S. 2768, a bill to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 and 2012, and for other purposes.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3342

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 3342, a bill to amend the Richard B. Russell National School Lunch Act to establish a demonstration project to promote collaborations to improve school nutrition.

AMENDMENT NO. 3889

At the request of Mr. AKAKA, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 3889 intended to be proposed to S. 3217, an original bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

AMENDMENT NO. 3939

At the request of Mrs. FEINSTEIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 3939 intended to be proposed to S. 3217, an original bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

AMENDMENT NO. 3986

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of amendment No. 3986 intended to be proposed to S. 3217, an original bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

AMENDMENT NO. 4019

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 4019 proposed to S. 3217, an original bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Appropriations, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 4899. A bill making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes (Rept. No. 111–188).

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BURR (for himself, Mr. AKAKA, and Mr. DURBIN):

S. 3377. A bill to amend title 38, United States Code, to improve the multifamily transitional housing loan program of the Department of Veterans Affairs by requiring the Secretary of Veterans Affairs to issue loans for the construction of, rehabilitation of, or acquisition of land for multifamily transitional housing projects instead of guaranteeing loans for such purposes, and for other purposes; to the Committee on Veterans' Affairs.

Mr. BURR. Mr. President, I rise today to offer legislation that would improve the Department of Veterans Affairs, VA, Multifamily Transitional Housing Loan program. This program, established in 1998 and supported with a $48 million appropriation in 1999, was intended to encourage additional development of transitional housing units for homeless veterans. Despite the good intention, the program was viewed as too rigid by community providers who turned elsewhere for assistance. In fact, only one loan was ever guaranteed under the program until VA discontinued it 2 years ago. The legislation I am introducing today would modify the program to give it the flexibility that community providers say is needed. The bill is cost neutral, relying only on money that Congress already has appropriated.

According to VA more than 107,000 veterans are homeless on any given night, including an estimated 1,589 in my home state of North Carolina. Many veterans are considered homeless or at risk due to their poverty, lack of support systems, and poor living conditions.

Even though we have seen a decrease in the number of homeless veterans from previous years, there is still work to be done. Make no mistake; the goal is not only to end homelessness but provide sustainable solutions to prevent veterans from, again, falling through the cracks. One area that will continue to play an important role in keeping veterans off the streets is the provision of transitional housing units coupled with onsite supportive services.

There are a number of VA programs that encourage the development of transitional housing units for homeless veterans. One such program, as I previously mentioned, was established by Congress in 1998—the Multifamily Transitional Housing Loan Guarantee Program. It was designed to encourage lenders to make low-interest loans, backed by a VA guaranty, available to homeless providers for the acquisition, construction, and improvement of transitional housing units. One provider, the St. Leo Campus for Veterans in Chicago, IL, operated by Catholic Charities, availed themselves of a VA-backed housing loan. However, St. Leo's experience is illustrative of why no other provider was able to secure a

loan and why the program was ultimately discontinued.

The St. Leo Campus for Veterans provides 141 studio units, each containing its own kitchen and full bathroom, to formerly homeless veterans as well as supportive services to help them become self-sufficient. On the St. Leo Campus, VA operates a clinic to provide outpatient services. In order to get financing for the St. Leo Campus, Catholic Charities obtained funding from ten sources, to include the VA-backed loan, various state-supported tax credits, and other creative funding sources.

Needless to say, the St. Leo Campus has been faced with numerous operational challenges that are typical of a provider servicing the homeless population. What exacerbates the challenge is the rigidity of the original VA loan program. Without flexibility in loan terms and conditions, St. Leo Campus struggles to make ends meet, bringing into question the sustainability of the project. To provide the necessary services to homeless veterans, St. Leo Campus has relied on one-time grants and donations which, in a difficult economy, are a highly volatile source of revenue. Flexibility in the terms of its VA-loan, as my bill would provide, would give St. Leo Campus and other homeless providers a chance to weather some of these cyclical funding challenges.

Recognizing the financing challenges many have in serving this unique population, my bill provides VA with the authority to issue loans under terms that are far more flexible than the original program. The legislation tracks each of the recommendations made in a report to VA regarding how the Multi-Family Transitional Housing Loan Program could be improved.

Specifically, the legislation would give VA greater flexibility in the types of loans it may offer and the conditions attached to repayment, including payment deferral, interest only payments, and debt forgiveness. It would give VA the authority to sell, lease, or operate a multifamily transitional housing project in the event of default. It would preempt any Federal, State, or local housing statute that limits a project from offering preferential treatment to veterans. Lastly, it would clarify that projects financed with a VA loan may include space for job training programs, other types of residential units, or other uses that the Secretary determines necessary for the sustainability of the multifamily transitional housing projects.

Transitional housing developed using VA-issued loans under my bill would still come with a requirement that a provider make available supportive services to reduce the likelihood of veterans again becoming homeless. These would include health care services; daily living services; personal financial planning; transportation services; income support services; fiduciary and representative payee services; legal services; child care; housing counseling; and other services necessary for maintaining independent living.

Finally, I again reiterate that this legislation calls for no new appropriation. It relies exclusively on $48 million appropriated, (but unspent), in 1999 to meet the administrative expenses and initial lending capital VA will require. As homeless providers make payments to extinguish any loan balance, VA will have the Opportunity to make additional loans.

I am committed to doing all we can to end homelessness among veterans. But I am also committed to doing it in a way that is not duplicative and fully utilizes money the American people have already put forward. I ask my colleagues for their support of my bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3377

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVERSION OF MULTIFAMILY TRANSITIONAL HOUSING LOAN PROGRAM TO LOAN ISSUANCE PROGRAM.

(a) AUTHORITY TO ISSUE LOANS.—

(1) IN GENERAL.—Section 2051 of title 38, United States Code, is amended—

(A) in subsection (a)—

(i) by striking ''The'' and inserting ''(1) The''; and

(ii) by adding at the end the following new paragraph:

''(2) The Secretary shall, utilizing funds available in the Multifamily Transitional Housing Loan Program Revolving Fund under section 2055 of this title, issue not less than five loans that meet the requirements of this subchapter.'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''under subsection (a)'' and inserting ''under subsection (a)(1)'';

(ii) in paragraph (2), by striking ''under subsection (a)'' and inserting ''under subsection (a)(1)''; and

(iii) in paragraph (3), by inserting ''or issued'' after ''guaranteed'';

(C) in subsection (c), by inserting ''or issued'' after ''guaranteed''; and

(D) in subsection (g), by inserting ''or issued'' after ''guaranteed''.

(2) AUTHORITY TO DELEGATE APPROVAL AUTHORITY.—Subsection (c) of such section, as amended by paragraph (1)(C) of this subsection, is amended—

(A) by striking ''A loan'' and inserting ''(1) A loan''; and

(B) by adding at the end the following new paragraph:

''(2) The Secretary may delegate approval under paragraph (1) to a State or local government entity.''.

(3) SUNSET OF AUTHORITY TO ISSUE LOAN GUARANTEES.—Such section is further amended by adding at the end the following new subsection:

''(h) The Secretary may not guarantee under subsection (a)(1) any loan that is closed after the date of the enactment of this subsection. The termination by this subsection of the authority to guarantee loans under this subsection shall not affect the validity of any loan guaranteed under this subchapter before the date of the enactment of this subsection and is in force on that date.''.

(4) CONFORMING AMENDMENTS.—

(A) Section 2052(d) of such title is amended by inserting ''or issue'' after ''whether to guarantee''.

(B) Section 2053(a) of such title is amended by inserting ''or issued'' after ''is guaranteed''.

(C) Section 2054(a) of such title is amended—

(i) in the first sentenced, by inserting ''or issued'' after ''guaranteed''; and

(ii) in the last sentence, by inserting ''or loan'' after ''guarantee''.

(5) CLERICAL AMENDMENTS.—

(A) The heading of subchapter VI of chapter 20 of such title is amended by striking ''LOAN GUARANTEE FOR''.

(B) The table of sections at the beginning of such chapter is amended by striking the item relating to subchapter VI and inserting the following new item:

''SUBCHAPTER VI—MULTIFAMILY TRANSITIONAL HOUSING''.

(b) MULTIFAMILY TRANSITIONAL HOUSING LOAN PROGRAM REVOLVING FUND.—

(1) IN GENERAL.—Subchapter VI of chapter 20 of such title is amended by adding at the end the following new section:

''§ 2055. Multifamily Transitional Housing Loan Program Revolving Fund

''(a) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund known as the 'Department of Veterans Affairs Multifamily Transitional Housing Loan Program Revolving Fund' (in this section referred to as the 'Fund').

''(b) ELEMENTS.—There shall be deposited in the Fund the following, which shall constitute the assets of the Fund:

''(1) Amounts paid into the Fund under any provision of law or regulation established by the Secretary imposing fees on persons or entities issued a loan under this subchapter.

''(2) All other amounts received by the Secretary incident to operations relating to the issuance of loans under this subchapter, including—

''(A) collections of principal and interest on loans issued by the Secretary under this subchapter;

''(B) proceeds from the sale, rental, use, or other disposition of property acquired under this subchapter; and

''(C) penalties collected pursuant to this subchapter.

''(3) Amounts appropriated or otherwise made available before the date of the enactment of this section for purposes of activities under this subchapter, including amounts appropriated for such purposes under title I of the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106–74; 113 Stat. 1049).

''(c) USE OF FUNDS.—The Fund shall be available to the Secretary, without fiscal year limitation, for all operations relating to the issuance of loans under this subchapter, consistent with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by inserting after the item relating to section 2054 the following new item:

''2055. Multifamily Transitional Housing Loan Program Revolving Fund.''.

(c) CLARIFICATION OF AUTHORITY TO DETERMINE TERMS AND CONDITIONS OF LOANS.—Subsection (a)(6) of section 2052 of such title is amended by inserting ''including with respect to forbearance, deferral, and loan forgiveness,'' after ''determines are reasonable,''.

(d) CLARIFICATION OF TYPES OF SPACES THAT MAY BE INCLUDED IN COVERED MULTIFAMILY TRANSITIONAL HOUSING PROJECTS.—Subsection (c)(1) of such section 2052 is amended by striking ''or job training programs'' and inserting ''job training programs, other types of residential units, or other uses that the Secretary considers necessary for the sustainability of the project''.

(e) LOAN DEFAULTS.—Section 2053 of such title is amended by adding at the end the following new subsection:

''(c) The Secretary may impose such penalties or require such collateral as the Secretary considers necessary—

''(1) to discourage default on a loan issued under this subchapter; or

''(2) to mitigate harm to the Department from default on a loan issued under this subchapter.

''(d) The Secretary shall administer any property coming under the jurisdiction of the Secretary by reason of default on a loan issued or guaranteed under this subchapter in accordance with regulations prescribed by the Secretary for that purpose. Such administration of property may include selling, renting, or otherwise disposing of property as the Secretary considers appropriate.''.

(f) PREFERENTIAL TREATMENT OF VETERANS.—

(1) IN GENERAL.—Subchapter VI of chapter 20 of such title, as amended by subsection (b), is further amended by adding at the end the following new section:

''§ 2056. Preferential treatment of veterans

''No provision of Federal or State law may prohibit a multifamily transitional housing project described in section 2052(b) of this title from offering preferential treatment to veterans.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by subsection (b), is further amended by adding at the end the following new item:

''2056. Preferential treatment of veterans.''.

(g) TECHNICAL CORRECTIONS.—Section 2052 of such title is amended—

(1) in subsection (b)(2), by striking ''counselling'' both places it appears and inserting ''counseling''; and

(2) in subsection (d)(2), by striking '', as assessed under section 107 of Public Law 102–405''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 526—DESIGNATING MAY 16 THROUGH MAY 22, 2010, AS ''NATIONAL SEARCH AND RESCUE WEEK''

Ms. CANTWELL (for herself, Mr. CRAPO, Mr. BINGAMAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. WYDEN, Mrs. BOXER, and Mr. ENZI) submitted the following resolution; which was considered and agreed to:

S. RES. 526

Whereas the National Association for Search and Rescue and local search and rescue units across the United States have designated May 16 through May 22, 2010, as ''National Search and Rescue Week'';

Whereas the Senate recognizes the importance of search and rescue services that are provided by both salaried and volunteer citizens through county sheriff offices and military entities;

Whereas throughout the history of the United States, search and rescue personnel have served the people of this Nation by helping to save the lives of fellow citizens who are lost or injured;

Whereas search and rescue personnel continually offer educational services that provide individuals with the survival knowledge necessary to live safely in diverse environments, from mountains to deserts and across both the urban and remote areas of this Nation;

Whereas search and rescue personnel train continually in order to maintain mission readiness and to be able to address complex search and rescue situations with both knowledge and skill;

Whereas search and rescue personnel are instrumental during national emergencies or natural disasters, as they are willing and able to respond and remain on missions for many weeks;

Whereas search and rescue personnel are required to be focused and dedicated in order to carry out missions that involve personal sacrifice of time, finance, and property, and place their own lives in danger;

Whereas in the United States, more than 500 individuals have sacrificed their lives during search and rescue missions or training; and

Whereas search and rescue personnel shall always be recognized as essential to protecting the lives of the citizens of this Nation: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 16 through May 22, 2010, as ''National Search and Rescue Week''; and

(2) encourages the people of the United States to observe this week with appropriate ceremonies and activities that promote awareness and appreciation of the role that search and rescue personnel perform in their communities so ''that others may live''.

SENATE RESOLUTION 527—SUPPORTING THE DESIGNATION OF AN APPROPRIATE DATE AS ''NATIONAL CHILDHOOD STROKE AWARENESS DAY''

Mr. CASEY (for himself and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 527

Whereas a stroke, also known as a cerebrovascular accident, is an acute neurologic injury that occurs when the blood supply to a part of the brain is interrupted by a clot in the artery or a burst of the artery;

Whereas a stroke is a medical emergency that can cause permanent neurologic damage or even death if not promptly diagnosed and treated;

Whereas 1 out of every 4,000 live births, and 11 out of every 100,000 children overall, have a stroke each year;

Whereas an individual can have a stroke before birth;

Whereas a stroke is among the top 10 causes of death for children in the United States;

Whereas 20 to 40 percent of children who experience a stroke die as a result;

Whereas stroke may recur in 20 percent of children;

Whereas the average time from onset of symptoms to diagnosis of a child having had a stroke is 72 hours;

Whereas no medication has been Federally approved for pediatric stroke treatment;

Whereas many children who experience a stroke will suffer serious, long-term neurological disabilities, including hemiplegia (which is paralysis of 1 side of the body) seizures, speech and vision problems, and learning difficulties;

Whereas such disabilities may require ongoing physical, occupational, and speech therapies, as well as surgeries;

Whereas the permanent health concerns and treatments resulting from strokes that occur during childhood and young adulthood have a considerable impact on children, families, and society;

Whereas very little is known about the cause, treatment, and prevention of childhood stroke;

Whereas medical research is the only means by which the people of the United States can identify and develop effective treatment and prevention strategies for childhood stroke;

Whereas early diagnosis and treatment of childhood stroke greatly improves the chances that the affected child will recover and not experience a recurrence; and

Whereas the Pediatric Stroke Network, Inc. should be commended for being the first online support group for families affected by pediatric stroke to be registered with the American Heart Association and for the ongoing legislative and awareness endeavors of the group: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of an appropriate date as ''National Childhood Stroke Awareness Day''; and

(2) urges the people of the United States to support the efforts, programs, services, and advocacy of organizations that work to enhance public awareness of childhood stroke.

SENATE RESOLUTION 528—DESIGNATING MAY 15, 2010, AS ''NATIONAL MPS AWARENESS DAY''

Mr. GRAHAM (for himself, Mr. NELSON of Florida, Ms. MURKOWSKI, Mr. SPECTER, Mr. CONRAD, Mr. DORGAN, Mr. BURR, Mr. INOUYE, Mr. BEGICH, and Mr. KERRY) submitted the following resolution; which was considered and agreed to:

S. RES. 528

Whereas mucopolysaccharidosis (referred to in this resolution as ''MPS'') are a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas MPS diseases cause complex carbohydrates to be stored in almost every cell in the body and progressively cause cellular damage;

Whereas the cellular damage caused by MPS—

(1) adversely affects the human body by damaging the heart, respiratory system, bones, internal organs, and central nervous system; and

(2) often results in mental retardation, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas symptoms of MPS are usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas research has resulted in the development of limited treatments for some MPS diseases;

Whereas promising advancements in the pursuit of treatments for additional MPS diseases are underway as of the date of agreement to this resolution;

Whereas, despite the creation of new remedies, the blood-brain barrier continues to be

a significant impediment to effectively treating the brain, which prevents the treatment of many of the symptoms of MPS;

Whereas treatments for MPS will be greatly enhanced with continued public funding;

Whereas the quality of life of the individuals afflicted with MPS, and the treatments available to those individuals, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS diseases;

Whereas the lack of awareness about MPS diseases extends to individuals within the medical community;

Whereas the cellular damage that is caused by MPS makes MPS a model for the study of many other degenerative genetic diseases;

Whereas the development of effective therapies and a potential cure for MPS diseases can be accomplished by increased awareness, research, data collection, and information distribution; and

Whereas the Senate is an institution that has the ability—

(1) to raise public awareness about MPS; and

(2) to encourage and facilitate increased public and private sector research for the early diagnosis and treatment of MPS diseases: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2010, as ''National MPS Awareness Day''; and

(2) supports the goals and ideals of ''National MPS Awareness Day''.

SENATE RESOLUTION 529—CELEBRATING THE LIFE AND ACHIEVEMENTS OF LENA MARY CALHOUN HORNE AND HONORING HER FOR HER TRIUMPHS AGAINST RACIAL DISCRIMINATION AND HER STEADFAST COMMITMENT TO THE CIVIL RIGHTS OF ALL PEOPLE

Mrs. GILLIBRAND (for herself, Mr. BURRIS, Mrs. BOXER, Mr. BROWN of Ohio, Mr. CASEY, Mr. LEVIN, Mr. BROWNBACK, Mr. MENENDEZ, Mr. NELSON of Florida, Mr. SCHUMER, and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 529

Whereas Lena Mary Calhoun Horne was a trail-blazing performing artist whose life exemplified her commitment to social justice, peace, and civil rights;

Whereas Ms. Horne was born in Brooklyn, New York on June 30, 1917, and joined the chorus of the famed Cotton Club in Harlem at the age of 16 and debuted on Broadway one year later in the musical ''Dance With Your Gods'' (1934);

Whereas during the 1940s, Ms. Horne was one of the first African American women to perform with a white band ensemble, the first black performer to play the Copacabana nightclub, and among the first African Americans to sign a long-term Hollywood film studio contract, garnering her roles in a host of films, including ''Thousands Cheer'' (1943), ''Broadway Rhythm'' (1944), ''Two Girls and a Sailor'' (1944), and ''Ziegfeld Follies'' (1946);

Whereas her rendition of the title song to the 1943 film ''Stormy Weather'' became a major hit and among her signature pieces, which also included ''Deed I Do'', ''As Long As I Live'', and Cole Porter's ''Just One of Those Things'';

Whereas Ms. Horne recorded prolifically into the 1990s and the record ''Lena Horne at the Waldorf-Astoria'' became the best-selling album by a female singer in RCA Victor's history;

Whereas Ms. Horne earned four Grammy Awards during the course of her career, including the Recording Academy's Lifetime Achievement Award in 1989, a National Association for the Advancement of Colored People Image Award in 1999, and a Kennedy Center Honor in 1984;

Whereas Ms. Horne appeared extensively on television, including specials with Harry Belafonte, Tony Bennett, numerous musical reviews and variety shows, and appearances on programs like ''Sesame Street'' and ''The Cosby Show'';

Whereas she was nominated for her first Tony Award in 1957 for her role in the musical ''Jamaica'', and her 1981 one-woman Broadway show, ''Lena Horne: The Lady and Her Music'', earned her a Tony Award, a Grammy Award, and ran for more than 300 performances;

Whereas despite Ms. Horne's pioneering contract with MGM studios, she was never featured in a leading role during the 1940s and 50s because her films had to be reedited for theaters in Southern States that proscribed films with black performers;

Whereas Ms. Horne was outspoken in her fight for racial equality;

Whereas during World War II, she used her own money to travel and entertain the troops;

Whereas while Ms. Horne performed at Army camps for the U.S.O., she became an outspoken critic of the treatment of African American servicemen and refused to sing before segregated audiences and at venues in which German Prisoners of War were seated in front of black soldiers;

Whereas during the late 1940s, Ms. Horne sued a number of restaurants and theaters for racial discrimination;

Whereas Ms. Horne was only two years old when her grandmother, suffragette, and civil rights activist Cora Calhoun enrolled her as a member of the National Association for the Advancement of Colored People, and she was an honorary member of the Delta Sigma Theta sorority and worked for years with the Urban League;

Whereas she participated in numerous civil rights rallies and demonstrations—marching with Medgar Evers in Mississippi, performing at rallies throughout the Nation for the National Council of Negro Women, and taking part in the March on Washington in August 1963 at which the Rev. Martin Luther King, Jr., delivered his ''I Have a Dream'' speech;

Whereas her commitment to civil rights and political views may have resulted in her appearance on Hollywood ''blacklists'' during the 1950s;

Whereas Ms. Horne worked with Eleanor Roosevelt to pass antilynching legislation;

Whereas with her wide musical range and consummate professionalism, she rose beyond Hollywood's stereotypical portrayals of African American as maids, butlers, and African natives; and

Whereas her poise, grace, and courage paved the way for generations of women and African Americans: Now, therefore, be it

Resolved, That the Senate celebrates the life and achievements of Lena Mary Calhoun Horne and honors her for her triumphs against racial discrimination and her steadfast commitment to the civil rights of all people.

SENATE RESOLUTION 530—SUPPORTING THE GOALS AND IDEALS OF ''NATIONAL WOMEN'S HEALTH WEEK 2010'', AND FOR OTHER PURPOSES

Mr. FEINGOLD (for himself, Ms. SNOWE, Mr. KERRY, Mr. BEGICH, Mr. DODD, Ms. STABENOW, and Mr. CRAPO) submitted the following resolution; which was considered and agreed to:

S. RES. 530

Whereas women of all backgrounds should be encouraged to greatly reduce their risk of common diseases through preventive measures such as a healthy lifestyle, by engaging in regular physical activity, eating a nutritious diet, and visiting a healthcare provider to receive regular check-ups, and preventative screenings;

Whereas significant disparities exist in the prevalence of disease among women of different backgrounds, including women with disabilities, African American women, Asian and Pacific Islander women, Latinas, and American Indian and Alaska Native women;

Whereas healthy habits should begin at a young age;

Whereas it is important to educate women and girls about the significance of awareness of key female health issues;

Whereas it is recognized that the offices of women's health within the Department of Health and Human Services, the Food and Drug Administration, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the National Institutes of Health, and the Agency for Healthcare Research and Quality are vital to providing critical services in supporting women's health research, education, and other necessary services that benefit women of any age, race, or ethnicity;

Whereas annually, National Women's Health Week begins on Mother's Day and celebrates the efforts of national and community organizations working with partners and volunteers to improve awareness of key women's health issues; and

Whereas in 2010, the week of May 9 through May 15 is dedicated as ''National Women's Health Week 2010'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of preventing diseases that commonly affect women;

(2) supports the goals and ideals of ''National Women's Health Week 2010'';

(3) calls on the people of the United States to use the start of ''National Women's Health Week 2010'', on May 9, 2010, as an opportunity to learn about health issues that face women;

(4) calls on the women of the United States to observe National Women's Check-Up Day by receiving preventive screenings from their health care providers; and

(5) recognizes the importance of federally funded programs that provide research and collect data on common diseases in women.

SENATE RESOLUTION 531—SUPPORTING THE GOALS AND IDEALS OF NATIONAL HEPATITIS AWARENESS MONTH AND WORLD HEPATITIS DAY

Mrs. FEINSTEIN (for herself and Mr. BROWN of Ohio) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 531

Whereas infection with the hepatitis B and C viruses and the incidence of liver disease

and cancer caused by the hepatitis B and C viruses have become urgent problems of global proportions;

Whereas an estimated 2,000,000,000 people worldwide have been infected with the hepatitis B virus, and as many as 400,000,000 people worldwide live with chronic hepatitis B infection;

Whereas an estimated 600,000 people worldwide die each year due to a hepatitis B infection;

Whereas an estimated 170,000,000 people worldwide live with chronic hepatitis C infection, and an estimated 3,500,000 people are newly infected with hepatitis C each year;

Whereas an estimated 1,700,000 people worldwide die each year due to liver failure or primary liver cancer from chronic hepatitis C infection;

Whereas infection with the hepatitis B and C viruses is a growing health crisis in the United States, and an estimated 5,300,000 people in the United States are chronically infected with the hepatitis B or C virus;

Whereas each year in the United States, an estimated 43,000 people are newly infected with the hepatitis B virus and 17,000 people are newly infected with the hepatitis C virus;

Whereas approximately 65 percent and 75 percent of the people infected with hepatitis B and hepatitis C virus, respectively, are unaware of the infection;

Whereas, because of the asymptomatic nature of the hepatitis B and C viruses, a person who has become chronically infected with 1 of the viruses may not have symptoms for up to 40 years after the initial infection has occurred;

Whereas many people are unaware that they have been infected with the hepatitis B or C virus until years later, when symptoms of liver cancer or liver disease develop;

Whereas, as a result of late diagnosis, approximately 15,000 people die each year from liver disease or liver cancer related to chronic viral hepatitis;

Whereas hepatitis C claims roughly 12,000 lives each year in the United States, and the overall rate of hepatitis C-related deaths in the United States is expected to triple by 2019;

Whereas, in the United States, African-Americans, Asian Americans, Pacific Islanders, Latinos, Native Americans, Alaskan Natives, gay and bisexual men, and persons who inject drugs have higher rates of chronic viral hepatitis infection;

Whereas 1/3 of HIV-positive people in the United States are co-infected with the hepatitis C virus, and 1/10 of HIV-positive people in the United States are co-infected with the hepatitis B virus;

Whereas, although life expectancies for HIV-positive persons have increased with therapy, liver disease, mostly related to hepatitis B or C infections, has become the most common non-AIDS-related cause of death among HIV-positive persons;

Whereas chronic hepatitis B and C infections cost the United States $16,000,000,000 each year;

Whereas, despite the fact that chronic viral hepatitis is the most common bloodborne infection in the United States, no routine or universal screening is in place for early detection as of the date of the agreement to this resolution;

Whereas, in 2010, the Institute of Medicine issued a report on chronic viral hepatitis, which attributed the lack of knowledge and awareness among the public and health providers of the United States of chronic viral hepatitis, the large health disparities for people infected with chronic viral hepatitis, and the current morbidity and mortality rate for people infected with chronic viral hepatitis, to the lack of dedicated resources for chronic viral hepatitis;

Whereas the first World Hepatitis Day on May 19, 2008, raised awareness about the need for action, compassion, and understanding about chronic viral hepatitis around the world; and

Whereas the goals of World Hepatitis Day and National Hepatitis Awareness Month are—

(1) to highlight the global nature of the chronic viral hepatitis epidemic;

(2) to recognize the need for a comprehensive public education and awareness campaign designed to help infected patients and the physicians of patients to identify and manage the secondary consequences of the disease; and

(3) to help increase the length and quality of life for individuals diagnosed with chronic hepatitis B or C infections: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World Hepatitis Day and National Hepatitis Awareness Month;

(2) promotes raising awareness of the risks and consequences of undiagnosed chronic hepatitis B or hepatitis C infections; and

(3) urges a robust governmental and public health response to protect the health of the more than 5,000,000 people in the United States and nearly 600,000,000 people worldwide who suffer from chronic viral hepatitis.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4042. Ms. COLLINS (for herself and Mr. VOINOVICH) submitted an amendment intended to be proposed to amendment SA 3739 proposed by Mr. REID (for Mr. DODD (for himself and Mrs. LINCOLN)) to the bill S. 3217, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; which was ordered to lie on the table.

SA 4043. Mr. DODD (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 2711, to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties.

SA 4044. Mr. DODD (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 2711, supra.

SA 4045. Ms. STABENOW (for herself, Mr. HATCH, Mr. BENNETT, and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 3739 proposed by Mr. REID (for Mr. DODD (for himself and Mrs. LINCOLN)) to the bill S. 3217, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; which was ordered to lie on the table.

SA 4046. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3739 proposed by Mr. REID (for Mr. DODD (for himself and Mrs. LINCOLN)) to the bill S. 3217, supra; which was ordered to lie on the table.

SA 4047. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3739 proposed by Mr. REID (for Mr. DODD (for himself and Mrs. LINCOLN)) to the bill S. 3217, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4042. Ms. COLLINS (for herself and Mr. VOINOVICH) submitted an amendment intended to be proposed to amendment SA 3739 proposed by Mr. REID (for Mr. DODD (for himself and Mrs. LINCOLN)) to the bill S. 3217, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; which was ordered to lie on the table; as follows:

On page 988, line 15, insert '', unless the individual who is alleging discharge or other discrimination in violation of subparagraph (A) is an employee of the Federal Government, in which case the individual shall only bring an action under section 1221 of title 5, United States Code'' before the period.

SA 4043. Mr. DODD (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 2711, to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Special Agent Samuel Hicks Families of Fallen Heroes Act''.

SEC. 2. TRANSPORTATION AND MOVING EXPENSES FOR IMMEDIATE FAMILY OF CERTAIN DECEASED FEDERAL EMPLOYEES.

(a) IN GENERAL.—Subchapter II of chapter 57 of title 5, United States Code, is amended by inserting after section 5724c the following:

''§ 5724d. Transportation and moving expenses for immediate family of certain deceased Federal employees

''(a) IN GENERAL.—Under regulations prescribed by the President, the head of the agency concerned (or a designee) may determine that a covered employee died as a result of personal injury sustained while in the performance of the employee's duty and authorize or approve the payment by the agency, from Government funds, of—

''(1) any qualified expense of the immediate family of the covered employee attributable to a change in their place of residence, if the place where the immediate family will reside following the death of the employee is—

''(A) different from the place where the immediate family resided at the time of the employee's death; and

''(B) within the United States; and

''(2) any expense of preparing and transporting the remains of the deceased to—

''(A) the place where the immediate family will reside following the death of the employee; or

''(B) such other place appropriate for interment as is determined by the agency head (or designee).

''(b) NO DUPLICATE PAYMENT OF EXPENSES.—No expenses may be paid under this section if those expenses are paid from Government funds under section 5742 or any other authority.

''(c) DEFINITIONS.—For purposes of this section—

''(1) the term 'covered employee' means—

''(A) a law enforcement officer, as defined in section 5541;

''(B) any employee in or under the Federal Bureau of Investigation who is not described in subparagraph (A); and

''(C) a customs and border protection officer, as defined in section 8331(31); and

''(2) the term 'qualified expense', as used with respect to an immediate family changing its place of residence, means the transportation expenses of the immediate family, the expenses of moving (including transporting, packing, crating, temporarily storing, draying, and unpacking) the household goods and personal effects of such immediate family, not in excess of 18,000 pounds net weight, and, when authorized or approved by the agency head (or designee), the transportation of 1 privately owned motor vehicle.''.

(b) NO RELEVANCE AS TO COMPENSATION CLAIMS.—No determination made under section 5724d of title 5, United States Code, shall be deemed relevant to or be considered in connection with any claim for compensation under chapter 81 of that title or under any other law under which compensation may be provided on account of death or personal injury, nor shall any determination made with respect to any such claim be deemed relevant to or be considered in connection with any request for payment of expenses under such section 5724d.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5724c the following:

''Sec. 5724d. Transportation and moving expenses for immediate family of certain deceased Federal employees.''.

SA 4044. Mr. DODD (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 2711, to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties; as follows:

Amend the title so as to read: ''An Act to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties.''.

SA 4045. Ms. STABENOW (for herself, Mr. HATCH, Mr. BENNETT, and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 3739 proposed by Mr. REID (for Mr. DODD (for himself and Mrs. LINCOLN)) to the bill S. 3217, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; which was ordered to lie on the table; as follows:

On page 431, strike lines 14 through 20 and insert the following:

(ii) results from—

(I) the merger or whole acquisition of a commercial firm that directly or indirectly controls the industrial bank, credit card bank, or trust bank in a bona fide merger with or acquisition by another commercial firm, as determined by the appropriate Federal banking agency; or

(II) an acquisition of voting shares in a publicly traded holding company of a industrial bank if, after the acquisition, the acquiring shareholder (or group of shareholders acting in concert)—

(aa) holds less than 25 percent of the voting shares of the company; and

(bb) has obtained all regulatory approvals required for such change of control under section 7(j) of the Federal Deposit Insurance Act (12 U.S.C. 1817(j)) and any applicable State law.

SA 4046. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3739 proposed by Mr. REID (for Mr. DODD (for himself and Mrs. LINCOLN)) to the bill S. 3217, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; which was ordered to lie on the table; as follows:

On page 749, line 17 strike all through page 752, line 11, and insert the following:

''(2) PROHIBITION OF DISCLOSURE OF IDENTITY.—

''(A) IN GENERAL.—Except as provided in paragraph (B) of this subsection, or with the written consent of the whistleblower, the Commission may not disclose the name, identity or identifying information about the whistleblower who has provided information to the Commission.

''(B) NOTICE AND APPLICABILITY TO OTHER GOVERNMENT AGENCIES AND FOREIGN AUTHORITIES.—Whenever the Commission makes a disclosure to other agencies and foreign authorities, it shall provide reasonable advance notice to the whistleblower if disclosure of that person's identity or identifying information is to occur. Any entity that receives such as disclosure shall protect the whistleblower's confidentiality in accordance with this subsection.

SA 4047. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3739 proposed by Mr. REID (for Mr. DODD (for himself and Mrs. LINCOLN)) to the bill S. 3217, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; which was ordered to lie on the table; as follows:

On page 990, line 7, strike all through page 993, line 7, and insert the following:

''(2) PROHIBITION OF DISCLOSURE OF IDENTITY.—

''(A) IN GENERAL.—Except as provided in paragraph (B), or with the written consent of the whistleblower, the Commission may not disclose the name, identity or identifying information about the whistleblower who has provided information to the Commission.

''(B) NOTICE AND APPLICABILITY TO OTHER GOVERNMENT AGENCIES AND FOREIGN AUTHORITIES.—Whenever the Commission makes a disclosure to other agencies and foreign authorities, it shall provide reasonable advance notice to the whistleblower if disclosure of that person's identity or identifying information is to occur. Any entity that receives such as disclosure shall protect the whistleblower's confidentiality in accordance with this subsection.

SPECIAL AGENT SAMUEL HICKS FAMILIES OF FALLEN HEROES ACT

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 234, H.R. 2711.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 2711) to amend title 5, United States Code, to provide for the transportation of the dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

H.R. 2711

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Special Agent Samuel Hicks Families of Fallen Heroes Act''.

SEC. 2. TRANSPORTATION OF DEPENDENTS, REMAINS, AND EFFECTS OF CERTAIN FEDERAL EMPLOYEES.

(a) IN GENERAL.—Subchapter II of chapter 57 of title 5, United States Code, is amended by inserting after section 5724c the following:

''§ 5724d. Transportation of dependents, remains, and effects of certain Federal employees

''(a) IN GENERAL.—Under regulations prescribed under section 5738 and when the head of the agency concerned (or a designee thereof) authorizes or approves, if a covered employee dies while performing official duties or as a result of the performance of official duties, the agency may pay from Government funds—

''(1) the qualified expenses of the immediate family of the employee, if the place where the family will reside following the death of the employee is—

''(A) different from the place where the family resided at the time of the employee's death; and

''(B) within the United States; and

''(2) the expenses of preparing and transporting the remains of the deceased to—

''(A) the place where the immediate family will reside following the death of the employee; or

''(B) such other place, appropriate for interment, as is determined by the agency head (or designee).

''(b) QUALIFIED EXPENSES.—For purposes of this section, the term 'qualified expenses', as used with respect to a family changing its place of residence, means the moving expenses, transportation expenses, and relocation expenses of the family which are attributable to the change in place of residence.

''(c) DEFINITIONS.—For purposes of this section—

''(1) the term 'covered employee' means—

''(A) a law enforcement officer, as defined [by] *in* section 5541; [and]

''(B) any employee in or under the Federal Bureau of Investigation who is not described in subparagraph (A); *and*

''(C) a customs and border protection officer, as defined in section 8331(31);

''(2) the term 'moving expenses', as used with respect to a family, includes the expenses of transporting, packing, crating, temporarily storing, draying, and unpacking the household goods and personal effects of such family, not in excess of 18,000 pounds net weight; and

''(3) the term 'relocation expenses' has the meaning given such term under regulations prescribed under section 5738, including relocation expenses and relocation services described in sections 5724a and 5724c, respectively.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5724c the following:

''5724d. Transportation of dependents, remains, and effects of certain Federal employees.''.

Mr. DODD. Mr. President, I ask unanimous consent that the committee-reported amendments be withdrawn, that a Lieberman substitute amendment, which is at the desk, be agreed to, the bill, as amended be read a third time and passed; that a title amendment, which is at the desk, be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The committee-reported amendments were withdrawn.

The amendment (No. 4043) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Special Agent Samuel Hicks Families of Fallen Heroes Act''.

SEC. 2. TRANSPORTATION AND MOVING EXPENSES FOR IMMEDIATE FAMILY OF CERTAIN DECEASED FEDERAL EMPLOYEES.

(a) IN GENERAL.—Subchapter II of chapter 57 of title 5, United States Code, is amended by inserting after section 5724c the following:

''§ 5724d. Transportation and moving expenses for immediate family of certain deceased Federal employees

''(a) IN GENERAL.—Under regulations prescribed by the President, the head of the agency concerned (or a designee) may determine that a covered employee died as a result of personal injury sustained while in the performance of the employee's duty and authorize or approve the payment by the agency, from Government funds, of—

''(1) any qualified expense of the immediate family of the covered employee attributable to a change in their place of residence, if the place where the immediate family will reside following the death of the employee is—

''(A) different from the place where the immediate family resided at the time of the employee's death; and

''(B) within the United States; and

''(2) any expense of preparing and transporting the remains of the deceased to—

''(A) the place where the immediate family will reside following the death of the employee; or

''(B) such other place appropriate for interment as is determined by the agency head (or designee).

''(b) NO DUPLICATE PAYMENT OF EXPENSES.—No expenses may be paid under this section if those expenses are paid from Government funds under section 5742 or any other authority.

''(c) DEFINITIONS.—For purposes of this section—

''(1) the term 'covered employee' means—

''(A) a law enforcement officer, as defined in section 5541;

''(B) any employee in or under the Federal Bureau of Investigation who is not described in subparagraph (A); and

''(C) a customs and border protection officer, as defined in section 8331(31); and

''(2) the term 'qualified expense', as used with respect to an immediate family changing its place of residence, means the transportation expenses of the immediate family, the expenses of moving (including transporting, packing, crating, temporarily storing, draying, and unpacking) the household goods and personal effects of such immediate family, not in excess of 18,000 pounds net weight, and, when authorized or approved by the agency head (or designee), the transportation of 1 privately owned motor vehicle.''.

(b) NO RELEVANCE AS TO COMPENSATION CLAIMS.—No determination made under section 5724d of title 5, United States Code, shall be deemed relevant to or be considered in connection with any claim for compensation under chapter 81 of that title or under any other law under which compensation may be provided on account of death or personal injury, nor shall any determination made with respect to any such claim be deemed relevant to or be considered in connection with any request for payment of expenses under such section 5724d.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5724c the following:

''Sec. 5724d. Transportation and moving expenses for immediate family of certain deceased Federal employees.''.

The amendment (No. 4044) was agreed to, as follows:

Amend the title so as to read: ''An Act to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties.''.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2711), as amended, was passed.

RV CENTENNIAL CELEBRATION MONTH

Mr. DODD. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 410 and the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 410) supporting and recognizing the goals and ideals of ''RV Centennial Celebration Month'' to commemorate 100 years of enjoyment of recreation vehicles in the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DODD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 410) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 410

Whereas 1910 marks the first year of mass-produced, manufactured, motorized campers and camping trailers;

Whereas 1 in 12 households in the United States own a recreation vehicle (referred to in this preamble as an ''RV''), and over 30,000,000 RV enthusiasts take part in this affordable and environmentally friendly form of vacationing;

Whereas RV vacations allow families in the United States to build stronger relationships, explore the great outdoors, and take part in healthy activities;

Whereas this homegrown industry, including RV manufacturers, suppliers, dealers, and campgrounds, employs hundreds of thousands of people in good-paying jobs across all 50 States;

Whereas traveling in an RV offers the freedom, comfort, and flexibility to see all parts of the United States, from historic landmarks and National Parks to local campgrounds and sporting events; and

Whereas the 100th anniversary of the introduction of the RV into the marketplace in the United States will be celebrated June 7, 2010, at the RV/MH Hall of Fame in Elkhart, Indiana: Now, therefore, be it

Resolved, That the Senate—

(1) supports and recognizes the goals and ideals of ''RV Centennial Celebration Month'' to commemorate 100 years of enjoyment of recreation vehicles in the United States; and

(2) encourages the people of the United States to celebrate this anniversary by taking part in recreation vehicle vacations.

COMMEMORATING WASHINGTON STATE FALLEN LAW ENFORCEMENT OFFICERS

Mr. DODD. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 521 and the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 521) commemorating and celebrating the lives of Deputy Sheriff Stephen Michael Gallagher, Jr., Officer Timothy Q. Brenton, Officer Tina G. Griswold,

Officer Ronald Wilbur Owens II, Sergeant Mark Joseph Renninger, Officer Gregory James Richards, and Deputy Sheriff Walter Kent Mundell, Jr. who gave their lives in the service of the people of Washington State in 2009.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DODD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be placed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 521) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 521

Whereas law enforcement officers throughout Washington State conduct themselves in a manner that supports, maintains, and defends the Constitution of the United States and the Constitution of the State of Washington;

Whereas law enforcement officers throughout the Nation and in Washington State risk their own lives to protect the lives of others;

Whereas since 1791, 20,146 law enforcement officers were killed in the line of duty in the United States and 270 of these officers served the people of Washington State;

Whereas in 2009, 126 law enforcement officers were killed in the line of duty in the United States;

Whereas in 2009, Deputy Sheriff Stephen Michael Gallagher, Jr., of the Lewis County Sheriff's Office, Officer Timothy Q. Brenton of the Seattle Police Department, Officer Tina G. Griswold of the Lakewood Police Department, Officer Ronald Wilbur Owens II of the Lakewood Police Department, Sergeant Mark Joseph Renninger of the Lakewood Police Department, Officer Gregory James Richards of the Lakewood Police Department, and Deputy Sheriff Walter Kent Mundell, Jr., of the Pierce County Sheriff's Department gave their lives in the service of the people of Washington State;

Whereas the family members and friends of Deputy Sheriff Stephen Michael Gallagher, Jr., Officer Timothy Q. Brenton, Officer Tina G. Griswold, Officer Ronald Wilbur Owens II, Sergeant Mark Joseph Renninger, Officer Gregory James Richards, and Deputy Sheriff Walter Kent Mundell, Jr., bear the most immediate and profound burden of the absence of their loved ones; and

Whereas National Police Week is observed during the week of May 9, 2010, to May 15, 2010, and is the most appropriate time to honor the Washington State law enforcement officers who sacrificed their lives in service to their State and Nation: Now, therefore, be it

Resolved, That the Senate—

(1) extends its condolences to the families and loved ones of Deputy Sheriff Stephen Michael Gallagher, Jr., Officer Timothy Q. Brenton, Officer Tina G. Griswold, Officer Ronald Wilbur Owens II, Sergeant Mark Joseph Renninger, Officer Gregory James Richards, and Deputy Sheriff Walter Kent Mundell, Jr.; and

(2) stands in solidarity with the people of Washington State as they celebrate the lives and mourn the loss of these remarkable and selfless heroes who represented the best of their community and whose memory will serve as an inspiration for future generations.

NATIONAL SEARCH AND RESCUE WEEK

NATIONAL CHILDHOOD STROKE AWARENESS WEEK

NATIONAL MPS AWARENESS DAY

CELEBRATING THE LIFE AND ACHIEVEMENTS OF LENA MARY CALHOUN HORNE

NATIONAL WOMEN'S HEALTH WEEK 2010

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed en bloc to the consideration of the following Senate resolutions: S. Res. 526; S. Res. 527; S. Res. 528; S. Res. 539; and S. Res. 530.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

NATIONAL SEARCH AND RESCUE WEEK

Ms. CANTWELL. Mr. President, I rise today to speak about a resolution to honor our Nation's search and rescue personnel by designating May 16 through May 22, 2010, as National Search and Rescue Week.

As many of my colleagues know, I am an avid hiker and mountaineer. Over the years, I have scaled several of Washington State's majestic peaks and hiked many of our backcountry trails. Whenever I load my pack for another trip—whether for a day hike or a trip up Mt. Rainier—I, like all people who enjoy the great outdoors, take steps to prepare myself and minimize my risk. I bring my essential gear, extra food and water, and make sure someone knows my trip plan. But no amount of preparation can protect you from a misstep or unforeseen circumstance.

In such instances, it is often the swift response of trained search and rescue personnel that makes the difference between tragedy and survival. These heroes come from a broad range of agencies and organizations, including sheriff offices, police departments, national and State parks, private corporations, and all branches of the military, including the U.S. Coast Guard. All of them—whether volunteer or salaried, military or civilian—exemplify courage, commitment, and compassion in performing their duties.

Whether it is an accident in the wilderness or a natural disaster in a major city, search and rescue personnel are always ready to respond. All across our country, when people find themselves in danger, they can be thankful for the bravery and willingness to serve exhibited by these dedicated individuals.

Every day, men, women, pack animals, and search dogs put themselves in harm's way to ensure the safety and security of citizens in need. Their territory knows no bounds. Wherever the mission is, they go, sometimes for weeks at a time.

Search and rescue teams are relentless in their training. They go to great lengths to ensure they are physically and mentally fit and well versed in the newest search and rescue techniques. This preparation enables them to approach complex search and rescue situations with confidence and skill.

Their selfless dedication does not stop at our Nation's borders. Civilian search and rescue teams are ready at a moment's notice to respond to international disasters, too, including the recent earthquake in Haiti and the tsunami in Indonesia. By extending their reach around the globe to wherever there is need, search and rescue personnel have saved lives, reunited families, and boosted America's reputation abroad.

In the simplest terms, search and rescue personnel take great personal risks to come to the aid of others. Carrying out their mission often demands great personal discipline and sacrifice, and some even pay the ultimate price. This selfless commitment to others is embodied in the Search and Rescue motto: ''So that others may live.''

I ask my colleagues to stand with me today to honor the members of the search and rescue community across our Nation. Their dedication to saving the lives of citizens who are lost or injured does not waver, and neither should we in adopting this small act of recognition for their heroic efforts.

Mr. DODD. Mr. President, I ask unanimous consent that the resolutions be agreed to en bloc, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, and that any statements related to the resolutions be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolutions (S. Res. 526, S. Res. 527, S. Res. 528, S. Res. 529, and S. Res. 530) were agreed to, en bloc.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 526

Whereas the National Association for Search and Rescue and local search and rescue units across the United States have designated May 16 through May 22, 2010, as ''National Search and Rescue Week'';

Whereas the Senate recognizes the importance of search and rescue services that are provided by both salaried and volunteer citizens through county sheriff offices and military entities;

Whereas throughout the history of the United States, search and rescue personnel have served the people of this Nation by helping to save the lives of fellow citizens who are lost or injured;

Whereas search and rescue personnel continually offer educational services that provide individuals with the survival knowledge necessary to live safely in diverse environments, from mountains to deserts and across both the urban and remote areas of this Nation;

Whereas search and rescue personnel train continually in order to maintain mission readiness and to be able to address complex search and rescue situations with both knowledge and skill;

Whereas search and rescue personnel are instrumental during national emergencies or natural disasters, as they are willing and able to respond and remain on missions for many weeks;

Whereas search and rescue personnel are required to be focused and dedicated in order to carry out missions that involve personal sacrifice of time, finance, and property, and place their own lives in danger;

Whereas in the United States, more than 500 individuals have sacrificed their lives during search and rescue missions or training; and

Whereas search and rescue personnel shall always be recognized as essential to protecting the lives of the citizens of this Nation: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 16 through May 22, 2010, as ''National Search and Rescue Week''; and

(2) encourages the people of the United States to observe this week with appropriate ceremonies and activities that promote awareness and appreciation of the role that search and rescue personnel perform in their communities so ''that others may live''.

S. RES. 527

Whereas a stroke, also known as a cerebrovascular accident, is an acute neurologic injury that occurs when the blood supply to a part of the brain is interrupted by a clot in the artery or a burst of the artery;

Whereas a stroke is a medical emergency that can cause permanent neurologic damage or even death if not promptly diagnosed and treated;

Whereas 1 out of every 4,000 live births, and 11 out of every 100,000 children overall, have a stroke each year;

Whereas an individual can have a stroke before birth;

Whereas a stroke is among the top 10 causes of death for children in the United States;

Whereas 20 to 40 percent of children who experience a stroke die as a result;

Whereas stroke may recur in 20 percent of children;

Whereas the average time from onset of symptoms to diagnosis of a child having had a stroke is 72 hours;

Whereas no medication has been Federally approved for pediatric stroke treatment;

Whereas many children who experience a stroke will suffer serious, long-term neurological disabilities, including hemiplegia (which is paralysis of 1 side of the body) seizures, speech and vision problems, and learning difficulties;

Whereas such disabilities may require ongoing physical, occupational, and speech therapies, as well as surgeries;

Whereas the permanent health concerns and treatments resulting from strokes that occur during childhood and young adulthood have a considerable impact on children, families, and society;

Whereas very little is known about the cause, treatment, and prevention of childhood stroke;

Whereas medical research is the only means by which the people of the United States can identify and develop effective treatment and prevention strategies for childhood stroke;

Whereas early diagnosis and treatment of childhood stroke greatly improves the chances that the affected child will recover and not experience a recurrence; and

Whereas the Pediatric Stroke Network, Inc. should be commended for being the first online support group for families affected by pediatric stroke to be registered with the American Heart Association and for the ongoing legislative and awareness endeavors of the group: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of an appropriate date as ''National Childhood Stroke Awareness Day''; and

(2) urges the people of the United States to support the efforts, programs, services, and advocacy of organizations that work to enhance public awareness of childhood stroke.

S. RES. 528

Whereas mucopolysaccharidosis (referred to in this resolution as ''MPS'') are a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas MPS diseases cause complex carbohydrates to be stored in almost every cell in the body and progressively cause cellular damage;

Whereas the cellular damage caused by MPS—

(1) adversely affects the human body by damaging the heart, respiratory system, bones, internal organs, and central nervous system; and

(2) often results in mental retardation, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas symptoms of MPS are usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas research has resulted in the development of limited treatments for some MPS diseases;

Whereas promising advancements in the pursuit of treatments for additional MPS diseases are underway as of the date of agreement to this resolution;

Whereas, despite the creation of new remedies, the blood-brain barrier continues to be a significant impediment to effectively treating the brain, which prevents the treatment of many of the symptoms of MPS;

Whereas treatments for MPS will be greatly enhanced with continued public funding;

Whereas the quality of life of the individuals afflicted with MPS, and the treatments available to those individuals, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS diseases;

Whereas the lack of awareness about MPS diseases extends to individuals within the medical community;

Whereas the cellular damage that is caused by MPS makes MPS a model for the study of many other degenerative genetic diseases;

Whereas the development of effective therapies and a potential cure for MPS diseases can be accomplished by increased awareness, research, data collection, and information distribution; and

Whereas the Senate is an institution that has the ability—

(1) to raise public awareness about MPS; and

(2) to encourage and facilitate increased public and private sector research for the early diagnosis and treatment of MPS diseases: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2010, as ''National MPS Awareness Day''; and

(2) supports the goals and ideals of ''National MPS Awareness Day''.

S. RES. 529

Whereas Lena Mary Calhoun Horne was a trail-blazing performing artist whose life exemplified her commitment to social justice, peace, and civil rights;

Whereas Ms. Horne was born in Brooklyn, New York on June 30, 1917, and joined the chorus of the famed Cotton Club in Harlem at the age of 16 and debuted on Broadway one year later in the musical ''Dance With Your Gods'' (1934);

Whereas during the 1940s, Ms. Horne was one of the first African American women to perform with a white band ensemble, the first black performer to play the Copacabana nightclub, and among the first African Americans to sign a long-term Hollywood film studio contract, garnering her roles in a host of films, including ''Thousands Cheer'' (1943), ''Broadway Rhythm'' (1944), ''Two Girls and a Sailor'' (1944), and ''Ziegfeld Follies'' (1946);

Whereas her rendition of the title song to the 1943 film ''Stormy Weather'' became a major hit and among her signature pieces, which also included ''Deed I Do'', ''As Long As I Live'', and Cole Porter's ''Just One of Those Things'';

Whereas Ms. Horne recorded prolifically into the 1990s and the record ''Lena Horne at the Waldorf-Astoria'' became the best-selling album by a female singer in RCA Victor's history;

Whereas Ms. Horne earned four Grammy Awards during the course of her career, including the Recording Academy's Lifetime Achievement Award in 1989, a National Association for the Advancement of Colored People Image Award in 1999, and a Kennedy Center Honor in 1984;

Whereas Ms. Horne appeared extensively on television, including specials with Harry Belafonte, Tony Bennett, numerous musical reviews and variety shows, and appearances on programs like ''Sesame Street'' and ''The Cosby Show'';

Whereas she was nominated for her first Tony Award in 1957 for her role in the musical ''Jamaica'', and her 1981 one-woman Broadway show, ''Lena Horne: The Lady and Her Music'', earned her a Tony Award, a Grammy Award, and ran for more than 300 performances;

Whereas despite Ms. Horne's pioneering contract with MGM studios, she was never featured in a leading role during the 1940s and 50s because her films had to be reedited for theaters in Southern States that proscribed films with black performers;

Whereas Ms. Horne was outspoken in her fight for racial equality;

Whereas during World War II, she used her own money to travel and entertain the troops;

Whereas while Ms. Horne performed at Army camps for the U.S.O., she became an outspoken critic of the treatment of African American servicemen and refused to sing before segregated audiences and at venues in which German Prisoners of War were seated in front of black soldiers;

Whereas during the late 1940s, Ms. Horne sued a number of restaurants and theaters for racial discrimination;

Whereas Ms. Horne was only two years old when her grandmother, suffragette, and civil rights activist Cora Calhoun enrolled her as a member of the National Association for the Advancement of Colored People, and she was an honorary member of the Delta Sigma Theta sorority and worked for years with the Urban League;

Whereas she participated in numerous civil rights rallies and demonstrations – marching with Medgar Evers in Mississippi, performing at rallies throughout the Nation for the National Council of Negro Women, and

taking part in the March on Washington in August 1963 at which the Rev. Martin Luther King, Jr., delivered his ''I Have a Dream'' speech;

Whereas her commitment to civil rights and political views may have resulted in her appearance on Hollywood ''blacklists'' during the 1950s;

Whereas Ms. Horne worked with Eleanor Roosevelt to pass antilynching legislation;

Whereas with her wide musical range and consummate professionalism, she rose beyond Hollywood's stereotypical portrayals of African American as maids, butlers, and African natives; and

Whereas her poise, grace, and courage paved the way for generations of women and African Americans: Now, therefore, be it

Resolved, That the Senate celebrates the life and achievements of Lena Mary Calhoun Horne and honors her for her triumphs against racial discrimination and her steadfast commitment to the civil rights of all people.

S. RES. 530

Whereas women of all backgrounds should be encouraged to greatly reduce their risk of common diseases through preventive measures such as a healthy lifestyle, by engaging in regular physical activity, eating a nutritious diet, and visiting a healthcare provider to receive regular check-ups, and preventative screenings;

Whereas significant disparities exist in the prevalence of disease among women of different backgrounds, including women with disabilities, African American women, Asian and Pacific Islander women, Latinas, and American Indian and Alaska Native women;

Whereas healthy habits should begin at a young age;

Whereas it is important to educate women and girls about the significance of awareness of key female health issues;

Whereas it is recognized that the offices of women's health within the Department of Health and Human Services, the Food and Drug Administration, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the National Institutes of Health, and the Agency for Healthcare Research and Quality are vital to providing critical services in supporting women's health research, education, and other necessary services that benefit women of any age, race, or ethnicity;

Whereas annually, National Women's Health Week begins on Mother's Day and celebrates the efforts of national and community organizations working with partners and volunteers to improve awareness of key women's health issues; and

Whereas in 2010, the week of May 9 through May 15 is dedicated as ''National Women's Health Week 2010'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of preventing diseases that commonly affect women;

(2) supports the goals and ideals of ''National Women's Health Week 2010'';

(3) calls on the people of the United States to use the start of ''National Women's Health Week 2010'', on May 9, 2010, as an opportunity to learn about health issues that face women;

(4) calls on the women of the United States to observe National Women's Check-Up Day by receiving preventive screenings from their health care providers; and

(5) recognizes the importance of federally funded programs that provide research and collect data on common diseases in women.

ORDER FOR RECORD TO REMAIN OPEN

Mr. DODD. Mr. President, I ask unanimous consent that notwithstanding the adjournment of the Senate, the RECORD remain open until 1:30 p.m. today for the introduction of bills, statements, resolutions, and the addition of cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDERS FOR MONDAY, MAY 17, 2010

Mr. DODD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. Monday, May 17; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate resume consideration of S. 3217, the Wall Street reform bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. DODD. Mr. President, Senators should expect several votes in relation to amendments to the Wall Street reform bill beginning at 5:30 p.m. on Monday.

ADJOURNMENT UNTIL MONDAY, MAY 17, 2010, AT 2 P.M.

Mr. DODD. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 11:43 a.m., adjourned until Monday, May 17, 2010, at 2 p.m.